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WILLIAM G. STANARD.

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VOL. XIV. JULY, 1906. No. 1.

JOURNALS OF THE COUNCIL OF VIRGINIA IN EXECUTIVE SESSIONS, 1737–1763.

(From the Originals in the Virginia State Archives.)

[There are among the Colonial Archives of Virginia, now in the State Library, a number of small volumes, originally in sheets and unbound, which contain the only records, remaining in Virginia, of the proceedings of the Council in its executive capacity during the period 1737–1763. Some of these journals are only rough drafts of minutes, with omissions, while others are full and fair records of the proceedings of the Council. The journals which have been preserved do not cover the whole time between the dates named, as there are some gaps.

These volumes, which, as has been stated, were originally not bound, have been, at some unknown time, bound up in several large volumes; but without much regard to chronological sequence, and mingled with papers dealing with other subjects.

This Society has had accurate copies made of all and will publish without omissions.

The period covered by these journals was one of great interest and importance in the history of Virginia and the American Colonies. At the time they begin Sir William Gooch had been

merica to England, by the royal proclamation of Oct. 7, 1763, hich was intended to check the westward growth of the coast olonies, and, in Virginia, by the "Parsons Cause," in which atrick Henry, in a certain sense, began the Revolution.]

No. 15

FROM AUG. 5TH 1737, TO DEC. 21, 1738.

At a Council held at the Capitol, August the 5th, 1737.

PRESENT:

The Governor[1]

Mr. Com'y Blair	John Grymes
Wm. Byrd	John Curtis
Cole Diggs	&
John Robinson	Philip Lightfoot, Esq'rs

The Acco'ts of His Majesties Revenues of 2s. p. hhd. ending the 25th of April last & also the Account of His Majesties Quit Rents for the Year 1736 Accounted for in April last were severally presented by His Majesties Receiver General[2] &

[1]The Governor was William Gooch (subsequently knighted) who was born Oct. 2, 1681, and died Dec. 17, 1751. His administration lasted from Sept. 8, 1727 to June 20, 1749. He was one of the most highly esteemed and respected of the colonial governors. See Campbell's History of Virginia, 416-449. The members of the Council present at this meeting were Rev. James Blair, D. D. (1656–1743), first President and chief founder of William and Mary College, Commissary of the Bishop of London, appointed to the Council in 1689, and at this time President of that body; William Byrd (1674–1744) of "Westover," who is so well known as an author; Cole Digges (1692-1744) of "Belfield," York Co., who was appointed to the Council in 1719, and was a grandson of Governor Edward Digges; John Roblnson (1683–1749) of "Piscataway," Essex Co., appointed to the Council in 1720, who was in 1749, as President of that body, acting Governor, and was the father of Speaker John Robinson of Va., and of Beverley Robinson of New York; John Grymes (1692-1748) of "Brandon," Middlesex Co., who was appointed to the Council in 1725, and was Receiver General 1723–1748 and Auditor General 1718, &c.; John Custis (3d) (1678–1749) of "Arlington," Northampton Co., appointed to the Council in 1727, and Philip Lightfort (1689–1748) of "Sandy Point," Charles City Co., who was appointed to the Council in 1733.

[2]The Receiver General at this time was John Grymes.

having been examined by the Auditor, the said Receiver General made Oath thereto in Council & the same were severally certified by the Governor.

Whereas through a long continuance of unseasonable Weather there is great reason to fear a Scarcity of Indian Corn & other Grain. It is therefore resolved & Ordered that from & after the 10th day of this month no Indian Corn, Wheat, Peas, Beans or other Grain whatsoever be exported[3] out this Dominion or Ship'd in or for Exportation until the last day of October next & that a Proclamation issue accordingly.

William Simmons Gent is appointed Sheriff of the County of Surry for the current year.

On reading at the Board the Petition of the Minister Church Warden & three of the Vestry of the Parish of Suffolk[4] in the County of Nansemond Complaining that Mr. Edmund Godwin[5] & Mr. Thos. Godwin Junr. two of the four Vestry Men appointed to Treat with workmen for building a new Church in the said Parish refuse to perform their duty whereby the building of the said new Church is greatly delayed, It is Ordered that the said Edmund Godwin & Thos. Godwin together with the other Vestry Men of the said Parish do attend this Board on

---

[3]By act of Assembly, Feb., 1727, (*Hening IV*, 221), the governor was authorized from time to time, as there might be occasion, to issue his proclamation prohibiting the exportation of food supplies.

It appears from the *Va. Gazette* that this proclamation was issued under the authority of the act named. The proclamation was published in the *Va. Gazette* October 21–28, 1737.

[4]The parish of Suffolk was sometimes called the Lower Parish. Bishop Meade had but little information concerning it. He states that there were two old brick churches in it, one on the left and the other on the right bank of the Nansemond River, and each about ten miles from the town of Suffolk. For notices of the parish see *Hening* I, 250, 251; V, 269; VII, 303; VIII, 53, 287, 371. Lands and money were left to the parish by Richard Bennett, the elder, Richard Bennett, the younger, Thomas Tilly. John Yates founded a free school in the parish.

[5]The Godwins were members of a large and influential family in Nansemond and Isle of Wight. Thos. Godwin of Nansemond was Speaker of the House of Burgesses in 1676. See this *Magazine* V, 198, &c.

the third day of the next General Court to shew cause why they have not complied with the former order of the said Vestry.

Ordered—That there be paid to Edward Doughty the Sum of fifty Shillings Current money in full of his demand for the entertainment of the Marshall of the Court of Vice admiralty & his Guard in bringing certain Pyrates to Williamsburg.

The Petition of George Holden for a Licence to practice as an Attorney in the County Courts is refer'd to Mr. Attorney General[6] who was to examine the Pet'rs qualifications & make Report thereof to this Board.*

---

[6]The Attorney General was John Clayton. The *Virginia Gazette* of Nov. 18, 1737, has the following: "This morning between 5 and 6 died at his House, in the 72d year of his Age, *John Clayton*, Esq., His Majesty's Attorney General and Judge of the Court of Vice-Admiralty of this Colony, the first Justice in the Commission of the Peace of *James* City County, Recorder of this City, &c, Which Offices he executed with Justice and Probity He bore a good Character, among his Acquaintance, and his Death is much lamented," and the issue of Nov. 25th states that: "On Wednesday Evening, the Funeral of John Clayton, Esq., was solemnized from his late Dwelling House, to the Church, in this City, in a very decent manner His Honour the Governor has been pleased to appoint Edward Barradel, Esq., to act as Attorney General, until His Majesty's Pleasure shall be known."

John Clayton, who was born in 1665, was a son of Sir John Clayton, of London, and Parson's Green, Fulham, Middlesex, England, and was a brother of Lt. General Jasper Clayton, of the English Army, who was killed at the battle of Dettingen in 1743. John Clayton studied at one of the Universities (probably Cambridge), admitted to the Inner Temple, June 8, 1682, was called to the bar, and coming to Virginia in 1705, was appointed Attorney General in 1714. He was the father of John Clayton, of Gloucester Co., Va., the botanist.

Edward Barradall, Clayton's successor, held the office until his death in 1743, and was the author of manuscript reports of cases in the General Court, one volume of which is in the collections of the Virginia Historical Society and another in the State Law Library. He married Sarah, daughter of Hon. William Fitzhugh, of the Council. The epitaph on his tomb in Bruton Churchyard, Williamsburg is given in *Virginia Historical Collections* XI, 75.

*The legal requirements for admission to the bar varied during the Colonial period. By Act of Assembly, March, 1642-3 (*Hening* I, 275), it was directed that all attornies should be licensed by the Court before which they were to plead. Another act of December, 1656 (*Hening*

The Petition of Robert Brooke for Patents for two Tracts of Land on Cohongoruton River Survey'd for Thos. Havert & Js[a]. Walker who have neglected to pay him for the said Surveys is refer'd until the Boundaries between His Majesty & the Lord ffairfax be determined it appearing the said Land is within the disputed bounds.

Benja. Allan[7] Wm. White having made application for Patents to be granted them for two Tracts of Land on the West side Sherrando River. It appearing by the Testimonial of Robt. Brooke the Surveyor that the said Land is clear of any pretensions of the sd. Lord ffairfax. It is Ordered that Patents be granted them accordingly.

Mr. ——— Gunn is appointed an Inspector at Swineyards[8] Warehouse in the Room of Mr. Royal who is removed to be an Inspector at Turkey Island[9] Warehouse in the Room of his Brother lately dec'd.

Several Petitions for Leave to take up his Majesties Land were read & granted as follows, vizt.

I, 419), directed that the Governor and Council should license for the quarter court, and the Commissioners (justices) for the county courts. This act provided that none should be called counsellors at law except those who had qualified thereto by the laws of England. In June, 1680 (*Hening* II, 478), it was enacted that all attornies should be licensed by the Governor. None of these acts make any provision for examination; but a law enacted at the session of May, 1732, reciting the fact that the number of ignorant attornies practising in the county courts had become a great grievance, directed that all persons desiring to practise as an attorney in any county or other inferior court should present their petitions to the Governor and Council, and that they should refer the applicants to persons learned in the law, whom they should des gnate, who should examine said applicants. These provisions were continued by various, more detailed and stringent acts, until the close of the Colonial era.

[7]The grant to Benjamin Allen, &c., was probably in the southern portion of the present Shenandoah County or the northern portion of the present Rockingham. The north branch of Shenendoah River was called "Ben Allen's River," on Fry and Jefferson's Map, 1751 (information of Charles E. Kemper).

[8]Swineyards, in Charles City County.

[9]Turkey Island, in Henrico County.

To William Randolph, John Harmer, Will Walter King, Nicholas Merriwether the jun'r, John Cole & Peter Jefferson fifty thousand Acres beginning at a place called the Crabb Orchard near the Ridge of Mountains on the head Springs of Sherrando & running South Westerly between the blue Ridge & third Ridge provided the same do not interfer with any former Entry.

To Geo. Walker One thousand Acres beginning at the Main ffork of Cubb Creek about four Miles from the mouth thence up both sides of both fforks & out on the Main Ridge between Cubb Creek[10] & Turnip Creek and three thousand Acres on the branches of Roanoke in Brunswick County.

To Stephen Hughes & John Alexander Leave to join two thousand & fifty Acres surveyed for them to four hundred Acres Surveyed for William Kennon and to take up as much Kings Land as will make the whole three thousand Acres on both sides of Randolphs Creek on the South side James River in Goochland County.

To Alexander Marshall three thousand Acres on the North ffork of Slate River on the North side of the said ffork in Goochland County or elsewhere on said River where it is not already entered to complete the quantity.

To William Hatcher two thousand Acres on Swift Creek in Henrico County.

To Joseph Foster seven thousand Acres in Hanover County beginning at several Trees marked E E on the head branches of the North ffork of James River near the blue Ridge of Mountains.

To Micha. Holland, Henry Chiles, Alxr. Tynson, Jas. Walker and Joseph Walker ten thousand Acres in Brunswick County on the head of falling River[11] to begin at the said Tynsons Camp in one or more Tracts.

To Philip Thurmond one thousand Acres in Goochland County joining a Patent he has on Philip Brits & to have an inclusive Patent.

---

[10] Cubb Creek is in the present county of Charlotte.

[11] Falling River is in the present Campbell County.

To Samuel Lee twelve hundred Acres beginning at John Ledbetters line at white Oak, thence across over to the Reedy Branch thence up the said Branch to his own line thence up Acocks line to Peter Mitchells line thence down to Thos. Rosers corner & round his own line for quantity in Prince George County.

To William Jones eight hundred Acres joining a Tract of two hundred and seventeen Acres already Patented by him lying on the great Creek of Nottoway River & joining on William Cotervells Land in Prince George County and to have an inclusive Patent to the whole.

To Robt. Lewis Leave to have an inclusive Patent for three several Surveys of two hundred, two hundred and fifty and four hundred Acres joining to Sixteen hundred Acres already Patented in Goochland County.

To John Robinson Leave to have an inclusive Patent for Eight hundred & ninety Acres of Land on Deep Creek in Goochland County already laid off in several Surveys.

To William Taylor Leave to have an inclusive Patent for four hundred Acres he bought of Charles Lynch ly in Goochland with eight hundred Acres Surveyed for himself on Moores Creek.

On reading at the Board the Petition of Chas. Hudson and Michael Holland in behalf of themselves & others their partners seting forth that they had formerly obtained a Grant of this Board for eight thousand Acres of Land on Vaughns Creek [12] in Amelia County, & that forasmuch as upon examining into the bounds of the said Land there is not that quantity contain'd therein. And praying Leave might be granted to take up the remainder below Vaughns Creek & on the head of Cubb Creek a branch of Roanoke in one or more Surveys. It is Ordered that the Surveyor of Amelia lay off the same according to the Prayer of their Petition.

---

[12] Vaughn's Creek is in the Northwestern portion of the present Prince Edward.

At a Council held at the Capitol Octo'r 17th, 1737.

PRESENT :

The Governor

Mr. Com'y Blair	John Grymes
Wm. Byrd	John Custis
John Robinson	J. Tayloe[14] &
John Carter[13]	Thos. Lee[15] Esq'rs

On reading this day at the Board a Letter from James Logan Esq'r dated the twenty first of the last Month proposing that further Measures be taken to induce the Catawbaw Indians to make Peace with the six Nations under the Government of New York. It is the Opinion of this Board & accordingly Ordered that a Message be sent to the said Catawbaws inviting them to a Treaty and in the mean time to dissuade them from any Hostilities on the said six Nations or their Allies.

John Howard[16] by his Petition seting forth that he together

---

[13] John Carter, eldest son of Robert Carter, of "Corotoman," is believed to have been educated in England, and in 1722 and earlier was residing in London as agent for Virginia. He was appointed Secretary of State of the Colony in 1722, and member of Council in 1724, and held both offices until his death, July 13. 1742. He married Elizabeth, daughter and heiress of Edward Hill, of "Shirley," Charles City Co.

[14] John Tayloe, of "Mt. Airy," Richmond Co., who was born Feb. 15, 1687, was appointed to the Council in 1732 and held the office until his death in 1747. He was one of the wealthiest planters in Virginia.

[15] Thomas Lee (1690-1750) of "Stratford," Westmoreland Co., was appointed to the Council in 1732-3, and as President of that body was acting Governor from Sept. 5, 1749, to his death on Nov. 14, 1750. He was the father of Richard Henry and Francis Lightfoot Lee, signers of the Declaration of Independence.

[16] Kercheval (*History of the Valley*, 3d ed. p. 47) recites a tradition that before the first settlement of the Valley a man named John Howard, crossed the Alleghany mountains, and descended the Ohio and Mississippi to New Orleans, whence he went to France and England. In England he is stated to have informed Lord Fairfax of the fertility of the South Branch. This order corrects Kercheval's tradition as to time at least. In Du Pratz' History of Louisiana (London 1774) John Peter Salling and John Howard are said to have made this trip in 1742 and the authority is said to be a *Report of the Government of Virginia*. But Salling was at home again in 1742. Evidently the trip was made earlier. See Withers's *Border Warfare*, pp. 48-49, Thwaites' Note.

with divers other Inhabitants on Sherrando River are willing at their own charge to go upon discoveries on the Lakes & River of Mississippi And praying a Commission for that purpose. It is accordingly Ordered that a Commission be granted the said Howard to Command such men as shall be willing to accompany him on such discoverys, but with this caution that he dont offer any Hostility to any Indians or others he may happen to meet with nor go to any ffort or Garrison possess'd by the ffrench on the said Lakes or River.

Octo'r 18th, 1737

PRESENT:

The Governor

[illegible] Blair	John Grymes
[illegible] Byrd	John Custis
[illegible] Diggs	John Tayloe
[illegible] Robinson	Philip Lightfoot &
[illegible] Carter	Thos. Lee Esq'rs

On hearing this day the parties on the Complaint of Daniel McCarty Gent ag't Sam'l Oldham one of the Inspectors at Yeocomico. It appearing by the several Depositions taken in the Country as well as the examinations of divers Witnesses now present that the said Oldham has been guilty of divers evil practices & misdemeanours in his said Office of Inspector. It is therefore Ordered that the said Samuel Oldham be from henceforth removed from acting any longer in that Office.

At a Council held at the Capitol Octo'r 26th 1737

PRESENT:

The Governor

Mr. Com'y Blair	John Grymes
Wm. Byrd	John Custis
Cole Diggs	John Tayloe
Jno. Robinson	Philip Lightfoot &
John Carter	Thos. Lee Esq'rs

This Board taking into consideration the extraordinary trouble & attendance of the Gunner at York Fort for which his

present Salary is no waies a proportionable recompence, It is Ordered that there be paid him for the future fifteen Pounds p. Annum.

On Consideration of the several demands of the Surveyors[17] employed in running the courses of the Rivers of Potomack & Rappahannock. It is Ordered that there be allowed to them the Sums following, viz :

To Mr. John Warner for the County of KingGeorge	£15.	—.	—
To Chain Carriers & other Expences . . .	10.	5.	6
To Mr. James Thomas Surveyor of Westmorland County	15.	—.	—
To Chain Carriers & other Expences . . .	5.	10.	—
To Mr. Barber Surveyor of Richmond County .	15.	—.	—
To Chain Carriers & other expences . . .	8.	17.	8
To Mr. Savage Surveyor of Stafford County .	15.	—.	—

One half of all which charges above mentioned are to be defrayed out of His Majesties Revenue & the other half to be paid by the Right Hon'bl Lord ffairfax pursuant to the agreement of the Commissioners appointed for ascertaining the Boundaries.

Whereas Sr. John Randolph was in his life time retain'd & gave his advice in preparing the Commission for ascertaining the Boundaries of the Northern Neck, It is Ordered that there be paid to his Executors for the said Service the Sum of ten Pounds.

Ordered—That the like Sum of ten Pounds be paid to Mr. William Robertson for the like Service & advice & for preparing Instructions for the said Commissioners.

Ordered—That there be paid to Mr. Joseph Davenport the Sum of £2.3.

To Mr. Bedford Davenport the Sum of £5.7.6. for their trouble in Transcribing the Report of the Commissioners for setling the Boundaries & the several Papers annexed there to & transmitted to his Grace the Duke of New Castle His Majesties Principal Secretary of State & to the Right Hon'ble Lords Commissioners for Trade & Plantations.

---

[17]These surveys were made to settle the boundaries of the Northern Neck In the *Calendar of Va. State Papers* I, 223-231 are various documents in regard to the subject. See this Magazine XIII, 114, 115.

On the Application of Mr. John Graem It is ordered that an Additional Allowance of ten pounds be made him for his trouble in Surveying the River Rappadan over & above what hath been paid him.

The Acco't of Contingent Charges for the last half Year & also an Acco't of Expences about the Governors House was severally examined & allowed.

The Governor & Council was pleas'd to Nominate the following Persons to be Sherifs for the ensuing Year Vizt.

County of Charles City—Sam'l Harewood.

Prince George, Wm. Eppes.

The following Persons were appointed Inspectors of Tobacco at the several Warehouses herein after mentioned Vizt.

At Hunting Creek, John Minors. .

Swineyards, David Royster.

Cherry Stones, George Kendall in the Room of Mr. Nottingham.

Deep Creek, Martin Shermar in the Room of Mr. Chinn.

Glasscocks, Rawleigh Chinn in the Room of Mr. Shermer.

Totuskey, Henry Disken in the Room of Mr. Plummer who has resign'd.

Greys Creek, Tho's Holt in the Room of Mr. Simmons dec'd.

Ordered—That a new Commission of the Peace issue for the County of Gloucester & that Mr. Lawrence Smith be kept in his former Rank & that Charles Debnam John Smith, Rob't Throgmorton, Mordecai Cook Jun'r, Ambross Dudly, Thos. Hayes, Robert Bernard & James Hubard be added to the acting Justices in the said Commission.

Ordered—That a new Commission of the Peace issue for the County of Goochland and that Miles Cary & Arthur Hopkins be added to the acting Justices in the said Commission.

Ordered—That a new Commission of the Peace issue for the County of Westmorland & that Franc's Whiting, Geo. Lee, Sam'l Eskridge & John Watts be added to the present acting Justices.

On consideration of the present condition of the Colony with respect to the scarcity of Indian Corn, It is the Opinion of this Board that the further continuance of the Prohibition of the Export of that Commodity is absolutely necessary for supply-

ing the wants of the Inhabitants but in regard there is a greater quantity of wheat & Pease now in the Country then the necessities of the People require, It is Ordered that the Exportation of Indian Corn & Meal made thereof be Prohibited until the twentieth day of June next but that Wheat & all other Grain be permitted to be Exported as usual & that a Proclamation issue accordingly.

Ordered—That the General Assembly be further Prorogued until the Second thursday in January next & that a Proclamation issue accordingly.

The matter in dispute between the Minister & Church Wardens & others of the Vestry of the Parish of Suffolk in the County of Nansemond touching the building a new Church in the said Parish is referred to be heard at the next Court of Oyer & Terminer & that the several parties have Notice to attend by themselves or such as they shall depute for that purpose.

Whereas Mr. Charles Green[18] On his application to the Governor obtained some time agoe a Letter of recommendation to the Vestry of Truro Parish to admit him to Officiate as their Minister until further Order but upon his presenting the said Letter hath behaved himself in a very unbecoming manner as appears by two of the Vestry men of the said Parish. It is ordered that the s'd Green attend this Board at the next Court of Oyer & Terminer to answer what shall be then objected to him.

On hearing the matter in dispute on the Petition of John Brodie against Henry Wilson for Land in the County of Brunswick, It is the opinion of this Board & accordingly ordered that the said Wilson have a patent for the said land & that if the Survey be not already returned that then Mr. Drury Stith Surveyor of the said County do attend this Board at the next Court of Oyer & Terminer & bring with him the said Survey & that he further come prepared to satisfie this Board why he did

[18] It appears from Meade II, 225 that Rev. Charles Green was minister of Truro Parish, Fairfax county, 1754–64 and possibly later. As will be seen by a later order, Mr. Green assumed, incorrectly, that Lord Fairfax and not the Governor had the right to present to parishes in the Northern Neck.

not return the said Survey in due time it appearing by the Testimonial of Theophilus Field that the said Stith was paid several Years agoe both for the said Survey & had a consideration given him for his trouble in suing out the Patent.

At a Council held at the Capitol Nov'r 3d, 1737.

PRESENT:

The Governor

Com'y Jas. Blair	John Grymes
Wm. Byrd	John Custis
Cole Digges	John Tayloe
John Robinson	Phil'p Lightfoot &
John Carter	Thos. Lee Esq'rs

The following warrants* on His Majesties Receiver General to be paid out of His Majesties Revenue of 2s. ℔ hhd. Port Duties & head Money were this day signed by the Governor in Council vizt.

To the Governor half a Years Salary ending the 25th of Octo'r last	£1000.	—.	—
To the Council for the same time . .	300.	—.	—
To the Judges & Officers of the Court of Oyer & Terminer held in June . .	100.	—.	—
To the Auditor of the Plantations half a Years Salary end'g as before . .	50.	—.	—
To the Sollicitor of the Virginia Affairs for the same time	50.	—.	—
To the Attorney General for the same time	35.	—.	—
To the Clerk of the Council for the same time	50.	—.	—
To the Ministers attending one General Court	6.	—.	—
To the Armourer	6.	—.	—
To the Gunners of the several Batterys .	22.	—.	—
To William Prentis for the Governors House	77.	9.	—

*The revenue subject to the order of the Governor and Council comprised the two shillings per hogshead export duty on tobacco, which in 1734, amounted to £3,200, and the quit rents, estimated in 1738 at about £3,800. See Ripley's *Financial History of Virginia*.

To Ditto for Contingent Charges . .	643.	16.	4
To the Adjutant half a Years Salary ending as above	75.	—.	—

And Out of the Quit Rents.

To Mr. Commissary half a Years Salary .	50.	—.	—
To the Attorney General half a Years Salary	35.	—.	—

The Acco't of His Majesties Revenue of 2s. ℔ hhd. &c. ending the 25th of last Month being examined by the Auditors were presented & sworn to by His Magisties Receiver General & certified by the Governor as usual.

On the Petition of William Byrd Esq'r[19]. It is ordered that he have further time allowed him for one Year from this date for seating his land on Roanoke River & the Branches thereof.

On reading at this Board the Petition of Benjamin Borden[20] &

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[19]In the *Cal. Va. State Papers* I, 223, is an order of Council, dated June 11, 1735, which recites that Wm. Byrd, Esq., had set forth in a petition that he speedily expected a number of Switzers and other foreign Protestants to come over, and praying that 100,000 acres of land be granted him for their settlement, to be taken up on both sides of Roanoke River between Birches Creek and the River Irvine, and to be granted on the same terms as other remote frontier lands had been. Col. Byrd's expectations were to a great extent frustrated by the wreck, in Lynhaven Bay, in January, 1738, of the ship containing the Swiss emigrants and the loss of the larger number of them. The *Virginia Gazette* of January 12th and 19th, 1738 (reprinted in the *Lower Norfolk County Virginia Antiquary* II, 37–39), gives an account of the disaster; but states that the 90 survivors proposed to go on to the place of settlement. Lands which Col. Byrd owned in North Carolina, not far from the tract now in question, constituted the "Eden" to which he made the well known journey in 1733.

[20]The 100,000 acres grant to Benjamin Borden or Burden, a native of New Jersey, was in the present county of Rockbridge. This grant, together with that of 110,491 acres (dated Sept. 6, 1736) to William Beverley, embracing a large portion of Augusta county, about Staunton, were, to a great extent, the occasion of the Scotch-Irish settlement in the Valley. Beverley and Borden were indefatigable in introducing settlers from the North of Ireland. In regard to these grants see Waddell's *Annals of Augusta County* (new edition), 28, 29, 30, 31, 32. &c., and Peyton's *History of Augusta County*, 62–74, &c. The original grant for the "Beverley Manor" tract is in the custody of this Society. The connection of William Robertson, clerk of the Council, with Borden is shown for the first time by the order in the text.

William Robertson in behalf of themselves & their partners seting forth the unforeseen accidents & difficulties which have prevented their seating the One hundred thous'd Acres of Land Granted them on the West side the blue Ridge of Mountains on the branches of James River by a former order of this Board & praying further time for setling the said Tract. It is accordingly Ordered that further time be granted the Petitioners for the purpose aforesaid for one Year from the date hereof and that upon their bringing a sufficient number of ffamilies to settle upon the said Land within that time Patents be granted them according to the Term of the former order of this Board.

Ordered. That Joseph Temple, Antho. Walk & James Elliot be appointed Coroners for the County of King William.

Ordered. That Will'm Eustace be appointed a Coroner for the County of Northumberl'd.

Ordered. That Edwin Dangerfield be added to the Commission of Peace for the County of New Kent.

Ordered. That there be furnished to Mr. John Howard 4lb powder & a proportionable quantity of bullets out of His Majesties Stores & four kettles for the better enabling him to perform the Service in making discoveries towards the River Mississippi.

At a Council held at the Capitol, Dec'r 15th, 1737.

PRESENT

The Governor

Cole Digges	John Custis
John Carter	John Tayloe &
John Grymes	Thos Lee Esq^r^

Whereas Information is given to this Board that divers Masters of Vessels secretly take on board Indian Corn contrary to the Proclamation prohibiting its Exportation for the more effectual prevention whereof It is ordered that the Naval Officers of the several Districts do forthwith Nominate proper persons to be Commissioned by the Governor to go on board the several Plantation Vessels & from time to time to search seize and take on Shore all Indian Corn or meal made thereof which shall be found on board any Ship or Vessel above the quantity o

barrels (which is hereby allowed to each Vessel for the Sea Store) & where any such seizure shall be made the said Naval Officers are hereby required to cause the Offenders to be prosecuted according to law.

The Acco't of Materials delivered by Mr. Minson Administrator of Leonard Whiting in discharge of his Debt to the Government together with the Valuation of the House built by the said Whiting at the ffort at Point Comfort was this day laid before the Board And It is ordered that the said several Materials be delivered to & charged in the Acco't of Mr. Baron[11] the present Gunner & Storekeeper of the said Fort that the Surplus of the Value of the said Materials over & above the payment of the said Whitings Debt he paid to Mr. Minson out of His Majesties Revenue of 2s. p. hhd.

Thos. Harris & Thos. Mosely are appointed Inspectors at Warwick Warehouse in the Room of Franc's Redford & Edward Wilkinson.

On hearing the parties on the Petition & Caveat Entered by James Pittillow against George Tellman & Robert Abernethy Junr. for a Tract of Land lying in Prince George County Surveyed for the said Tillman above Six Years agoe & by the said Tillman sold to the above Abernethy & no Patent yet sued out by either. It appearing by the Evidence of Robt. Bolling Gen'l Surveyor of the said County that the occasion of the said Abernethys not suing out a Patent was owing to the neglect of the said Surveyors Deputy who received Money for the Rights & patent flees from the said Abernathey. It is therefore Ordered that the Caveat aforesaid be dissolved & that a Patent be granted for the Land therein mentioned to the said Abernethy. But forasmuch as it appears to this Board that George Tillman hath for a long time held the said Land without taking a Patent whereby His Majesty hath been defrauded of his Quit Rents divers Years, It is Ordered that the said Tillman pay the Petitioner James Pittillow the Sum of fifty shillings Current money for his trouble & expence in prosecuting his Caveat and Petition

[11]Samuel Barron, father of the well known Revolutionary naval officers Samuel and James Barron, then commanded the fort at Point Comfort.

& that Robert Abernethy do produce a Rect. for that money before any Patent be granted him by Virtue of this Order.

On the Petition of Richard Tunstall, Benja. Winslow, John Corrie Leave is granted them to take up & Survey Thirty thousand Acres of Land on the North West side Sherrando River below Jacob Stovers upper Tract upon Condition of seating the same with one ffamily for each thousand acres within two Years from this date it being certified by Wm. Beverley Gent. one of the Lord ffairfaxes Commissioners for running the Boundaries of his Grant that the Land now petition'd for is not within any part of the Land Claimed by His Lordship.

The Caveat Entered by Edmund Carrell, David Pitts & William Thomas for stopping an Escheat Patent sued out by Eliz. Hudson Widow on a motion of the s'd Widow by her Council is vacuated & a Patent ordered her she paying the Composition due to His Majesty & other charges acruing thereon.

Whereas upon the humble Petition of the Vestry of Chuckatuck Parish and of the lower Parish of Nansemond representing their inability seperately to support the charge of maintaining a Minister in each of the said Parishes or the other Parochial Charges, the Governor was pleased to consolidate & unite the s'd two Parishes into one By the name of Suffolk Parish and to continue the then Vestry men until by death or a removal out of the Parish the said Vestry men should fall under the number of twelve. And whereas upon examination & evident proof of the ruinous condition of the Church built on the South side Nansemond River in that part formerly called the lower Parish it was in a full Vestry held the 16 of May 1737 Resolved & agreed to build a new brick Church at a place called Jordans Mill Hill as more convienent for the people on both sides of Nansemond River than the old Church was & persons were chosen & authorized by the said Vestry to agree with workmen for building the same. Yet by the combination of some of the persons so entrusted therein refusing to act & influencing others of the said Vestry to dissent from what was formerly agreed on by them no progress hath yet been made towards erecting the said Church. And whereas upon the humble Petition of the Minister & Church Wardens of the said United Parish, The Governor was pleased to order all

parties concerned to attend the Board this day in order to a final determination of the controversys between them touching the building the said Church & now upon hearing the Arguments and allegations of both parties it evidently appearing to this Board that the old Church on the South side Nansemond River is so much decayed and in such a ruinous condition that the People cannot without eminent danger attend the divine worship therein & that the said Order of Vestry for building the said new Church was a just & reasonable appointment both in respect to the Situation & the ease of the Parishoners whose expence will be greatly lessened by applying thereto a considerable donation left for that purpose by John Yates dec'd. It is therefore the Opinion of this Board & accordingly Ordered that the Vestry of the said United Parish do with all convienent speed meet at the lower Church of the said Parish & take care that their said former order be complied with either by appointing other persons in the Room of Mr. Edmund Godding & Thos. Godding Jun'r [Godwin] (if they still refuse to except that trust) to be joined with the other Trustees heretofore by them named to agree for the speedy erecting the said new Church as they will answer their contempt in a matter wherein the Honour of Religion the respect due to his Majesties Royal Instructions in this behalf and the safety & conveniency of the Parishoners are so greatly concerned. And whereas it hath been represented to this Board that the said Vestry having now got a Majority on the North. side of the said River are determined to chuse none of the Inhabitants on the South side the said River whereby as is suggested they intend to continue & encrease the hardships of the said lower Inhabitants which is contrary to that Justice & equality upon which & consolidation of the said two Parishes was first established, It is Ordered that the future choice of Vestry men none of the upper Inhabitants be chosen until there be an equal number of Vestry men on each side of the said Nansemond River & that this Order be entred in the Vestry book of the said Parish.

On the Caveat & Petition of Thos. Bibb against Nath'l Dickinson for a Grant for four hundred Acres of Land in Hanover County Surveyed long since for the said Dickinson & no patent sued out the said Dickinson having been Summoned &

not appearing, It is Ordered that a Patent be granted the Petitioner.

James Nowling having entered a Caveat for stopping a Patent to John Lad & Amos Lad for two hundred Acres of Land in Goochland County some time agoe surveyed for them & no patent sued out the said John & Amos having been summoned & not appearing, It is Ordered upon the Petition of the said James Nowling that a Patent be granted him for the said Land.

On the Petition of Joseph Randolph against Clement Reid for a Tract of Land Surveyed for the said Clement in Brunswick County by consent of the said Reid, It is Ordered that a Patent be granted the said Randolph for the said Tract of Land.

Mr. Charles Green Clerk this day appearing before the Board according to order & being heard what he had to offer in relation to the charge against him for speaking disrespectfully of the Governors Recommendation to the Vestry of Truro Parish to admit him to officiate as Minister of that Parish until he had a Licence from the Bishop of London & now acknowledging his error in insisting upon the Lord ffairfaxes Right of Presentation to the said Parish being so persuaded by His Lordship & not out of any disrespect to the Governor to whom he now understands the Right of such presentation is intrusted by His Majesties Instructions & the Laws of this Colony & promising a more decent regard to the Law & Constitutions of this Colony for the future he was thereupon dismiss'd.

Alex'r Traquair having Petitioned for a Grant of four hundred Acres of Land in Hanover County formerly Surveyed for William Smith who hath neglected to sue out a Patent for the same the said having been Summoned & not appearing, It is Ordered that the said Land be granted the Petitioner.

Ordered—That there be paid to Mr. James Skelton[21] the Sum of ten pounds Current Money for his trouble in going to

[21] James Skelton, though sometimes styled Dr. Skelton, was a prominet builder and contractor. In 1750 he contracted to rebuild the Capitol. For an account of his family see *William and Mary Quarterly* XII, 61, &c.

Point Comfort to view & value the House built at the ffort there by Mr. Leonard Whiting dec'd.

Ordered—That there be paid to Mr. Philip Finch the Sum of ten pounds for laying & Planting the Avenue to the Governors House.

Ordered—That the General Assembly be further Prorogued to the last Thursday in May next & that a Proclamation issue accordingly.

A new Commission of the Peace for the County of James City is ordered & that the following Persons be appointed Justices Vizt.

Edw'd Barradall, Edw'd Jaquelin, Lewis Burwell, Tho's Bray, P. Ludwell, Henry Power, Rich'd Booker, Rob't Goodrich, John Eaton, Carter Burwell, of the Quorum, Wm. Marrable, Willis Wilson, Lanct. Woodward, Jos. Marston, Ab'm Nicholas, Wm. Prentis, Hudson Allen, R'd Talliaferro, James Bray.

At a Council[28] held at the Capitol Ap'l 22d 1738.

PRESENT.

The Governor.

Mr. Com'y Blair	John Carter
Wm. Byrd	John Grymes
Cole Digges	John Custis
John Robinson	John Tayloe
	Phil'p Lightfoot &
	Thos. Lee Esq'rs

Ordered—That the General Assembly which now stands Prorogued to the last Thursday in May be further Prorogued

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[28] It will be noted that there is a gap in the journals from December 15, 1737 to April 22, 1738. *Virginia Gazette* covering the interval (of which the only existing volume is in the library of this Society), gives no notice of any event of public interest, except that the paper of April 7, 1738 has the following: "Last Week His Honour the Governor received Information that Two White Men, Inhabitants of *Orange* County [the original Orange] had been lately kill'd by some Indians; and that further Danger was dreaded from them by the Inhabitants of the Frontiers: Whereupon His Honour was pleas'd to give Orders, that Arms and Ammunition should be sent from the Magazine, for the Use of the Inhabitants of those Parts, which is accordingly done."

till the second Thursday in August next & that a Proclamation issue accordingly.

Whereas the Inhabitants on Sherrando River by their Petition have represented that the Northern indians frequently passing through their Plantations committ frequent outrages & have lately killed one of their men And have prayed for a supply of Arms and Ammunition for their defence. It is the Opinion of this Board & accordingly Ordered that out of His Majesties Stores there be delivered to John Lewis Gent.[24] who is hereby approved to be Capt. over such of the Inhabitants as live within Beverly mannor thirty Muskets & eight pair of Pistols with a Proportionable quantity of Powder & Ball. But that it should be an Instruction to the said Capt. Lewis that neither he nor any of the men under his command do on any pretence whatsoever offer any violence to any of the said Indians passing quietly through their Plantations nor to any Indians whatsoever unless the said Indians do first committ hostilities on the said Inhabitants, in which case only they are at liberty to defend themselves & to act offensively.

The Governor acquainted the Council that he had lately received a Letter from the President of Pensylvania which he caused to be read at the Board wherein the said President proposed to delay the meeting of the Cherrikee & Cattawbaw Indians with the Northern Indians until the beginning of August next & that accordingly he had sent a message to the said Cherrikee and Cattawbaw Indians desiring them that they shou'd postpone their Journey to Albany till that time.

The following Persons are appointed Inspectors :

Ellis Gill at Wicocomico during the Indisposition of Mr. Jones.

Anthony Haynes at Gibsons.

Thos. Cobbs at the Capitol & College Landings in the Room of Capt. Peirce dec'd.

Peter Hack at Adderson in the room of Mr. Parker dec'd.

Wm. MacWilliams & John Parish at ffredericksburg.

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[24]This is, of course, John Lewis, the famous leader in the settlement of Augusta County. It is believed that this is the first published record of his appointment as commander of the militia within Beverley Manor.

Ordered. That a new Commission of the Peace issue for the County of Stafford & that the following Persons be added to the Present Justices Vizt., Jas. Hoe, Rich'd Bernard, Townsend Washington, Rich'd Foot, Wm. Harrison, John Waugh, & Mott Donaphan.

On the Application of the Officers of His Majesties Revenue, It is Ordered that Rights be issued to the Value of five hundred pounds Sterling.

His Majesty having been pleas'd to ratify & confirm an Act[25] passed at a Session of the General Assembly held the twenty sixth day of August MDCCXXXIV in the Eighth Year of His Majesties Reign Entituled An Act for Docking the Intail of certain Lands in the Counties of Gloucester & Elizabeth City, and vesting the same in Henry Willis in Fee Simple and for setling other Lands & Tenements and several Slaves to the same Uses The Order of His Majesty in his Privy Council & Ordered to be recorded in the Secretaries Office.

Chas. Carter Esq'r having represented to this Board that he had lately purchased from Abm. Bledsoe & Benj. Cave a Tract of Land lying upon Beaver dam Run of Hedgmans River in Orange County Granted to them by Patent bearing date the eighth day of September MDCCXXVIII & that he apprehends there contains within the said bounds a greater quantity then is express'd in the said Patent Praying leave to reservey & take a new Patent for the whole quantity within the bounds.

It is Ordered that the consideration of the said Petition be refered until it be made appear that the said Land doth not lie within the bounds claim'd by the Rt. Hon'ble the Lord ffairfax.

On reading at this the Petition of Joseph Brocke Gent. setting forth that in the Year MDCCXXIII he purchased of Larkin Chew Gent. dec'd seven thousand four hundred & fifty three Acres of Land being the residue of Nine thousand four hundred Acres lying in the County of Spotsylvania & granted to the said Chew by Patent bearing date the fourth of June MDCCXXII that the said Larkin Chew having sold several parcels out of the said Patent before the Petitioners purchase pretended that the residue

[25] *Hening* IV, 461.

had been exactly Surveyed & gave the Petitioner a paper under the hand of James Taylor then Surveyor of the said County wherein he alledged the several courses of the land remaining unsold were truly set down & exprest, but after the Petitioner had got his conveyance for the said Land & had seated thereon he found that the bounds exprest in the said Chews conveyance were eroneous some of the courses running into elder Grants & others into Pryor sales & leaving out a very great part of the Land intended to be conveyed to the Petitioner & that there was a mistake in the number of Pole in one of the courses of the said Patent but that the Petitioner apprehends the full quantity of Land intended to be conveyed to him is still remaining, And praying that the Surveyor of the said County of Spotsylvania may be ordered to survey the Land intended to be conveyed to the Petitioner by the said Larkin Chew within the bounds of the said Patent for nine thousand four hundred Acres not interfering with elder Grants or Pryor Sales including Eight hundred Acres of Land formerly granted by two several Patents to the said Larkin Chew, Joseph Chew, Rich'd Buckner & Joseph Sutton & comprehended within the bounds of the said Chews Patent & that the course of the said Patent So. 65 degrees East may be extended One hundred Poles further to reach the corner therein mentioned & that he may have a new Patent according to such Survey without paying for new Rights he having already paid the Rights according to his late Majesties directions in that behalf. The Governor with the advice of the Council taking the same into consideration is pleased to order as it is hereby ordered that the Surveyor of the said County of Spotsylvania do Survey the Lands mentioned in the Pet'rs conveyance from Larkin Chew dec'd within the Bounds of his aforementioned Patent not interfering with elder Grants or Pryor Sales & that the course of the s'd Pat. 65 degrees East be extended 100 Poles farther & that thereupon a Pat. be granted the Pet'r according to the Prayer of his said Petition.

On the Application of John Carter Esq'r It ordered that Charles Lynch be Summoned to appear at the next Court of Oyer & Terminer to shew cause why a certain Tract of land long since surveyed for the s'd Charles Linch lying on Hardway [Hardware?] River in Goochland County should not be granted to

the said John Carter for defalt of the said Linches suing out a patent for the same pursuant to the orders of the Government.

The several Petitions of Mr. Benja. Waller[36] & Mr. Abm. Nicholas Jim[r][37] Gent for leave to practice as Attorney in the County Courts were read & refer'd to Mr. Attorney Gen'l & Mr. Benja. Needler or either of them to examine their qualifications & report the same to this Board.

At a Council held at the Capitol April 27th, 1738.

Present:

The Governor

Mr Com[r] Blair	John Grymes
Wm. Byrd	John Custis
Cole Digges	John Tayloe &
John Robinson	Thos. Lee Esq'rs

The Acc't of Contingent charges about the Governor's house were examined and allowed.

Ordered that new Commission of the Peace issue for the County of Prince William & That Norwood Halt, John Hudnall [in the Room of Joseph Hudnal] Thos. Pierson, Jos. Blackwell, Saml. Earl, Thos. Stripling, Antho. Seal, Dan'l Tilbee, John Minor, John Awbry, Henry Terrill, be added to the present acting Justices.

Ordered That a new Commission of the Peace for the County of York issue, & that, George Gilmer, Dan'l Moor, Sam'l Reid John Ballard, John Goodwinn, Thos. Cobbs, James Barber, Ellyson Armistead, & Arthur Dickenson be added.

Ordered That a New Commission of the Peace issue for County of Surry and that; Benja. Harrison, Wm. Seaward, Kenneth Mc-

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[36] Benjamin Waller, son of Col. John Waller, of "Newport," Spotsylvania county, was born Oct., 1716, and died May 18, 1786. He removed when a young man to Williamsburg, was a clerk of the Council, Burgess for James City county, 1744-1761, and a judge of the State General Court, 1779-1786.

[37] Abraham Nicholas, Jr., died Dec. 18, 1751. He was son of Major Abraham Nicholas, Adjutant General of the Colony, who died in September, 1738.

Kenzie, Edw'd Ruffin, James Chappell, Wm. Harper & Howel Brigges be added.

The several Petitions of Gilbert Buchanan & John Osheal Gent for leave to practise as Attorneys in the County Courts were read & refer'd to Mr. Attorney & Mr. Benj'n Needler[28] or either of them to examine their qualifications & make report to this Board.

At a Council held at the Capitol, May the 5th, 1738.

PRESENT:

The Governor

Mr. Com'y Blair	John Grymes
Wm. Byrd	John Custis
Cole Digges	John Tayloe
John Robinson	Philip Lightfoot &
John Carter	Thos. Lee Esq'rs.

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[28] It is evident, from the frequency with which Mr. Needler was asked to examine candidates for the bar, that he was an able lawyer. In the *Sainsbury Abstracts*, (Va. State Library) is a letter introducing Benjamin Needler who was about to settle in Virginia. It states that he had been bred to the bar, was a young man of good character and ability, and was son of Culverwell Needler, clerk assistant of the House of Commons. Benjamin Needler lived in King and Queen county, where he was a vestryman of Stratton-Major Parish, was appointed clerk of the Council in October, 1739, and died before April 3, 1741. He married Alice, daughter of Gawin Corbin of Virginia, and had at least one daughter, who married Rev. Wm. Robinson, of King and Queen, Commissary of the Bishop of London.

His grandfather, Benjamin Needler, son of Thomas, of Lalehan, Middlesex, England, matriculated at St. John's College, Oxford, July 1, 1642, aged 18; fellow, 1645; created B. C. L. 14 April, 1648; admitted to Merchant-Taylor's School 1634, born 29 Nov, 1620; rector of St. Margaret-Moses, Fryday street, London, 1651, until ejected for nonconformity in 1662; died at North Warnborough, Hampshire (where he had been privately conducting religious services) in May or June, 1682; was author of sermons and notes on Genesis. He married a sister of Richard Colverwell or Culverwell, minister. (and probably a daughter of Richard Culverwell, rector of St. Margaret's, Fryday street, 1618, &c.,) and had I Benjamin; II Culverwell, clerk-assistant to the House of Commons.

The following Warrants to be paid by the Receiver General out of His Majesties Revenue were this day sign'd by the Governor in Council as follows Vizt:

To the Governor ½ a Years Salary ending the 25th of Ap'l last	£1000.	—.	—
To the Gentlemen of the Council for the same time	300.	—.	—
To the Judges & Officers of the Court of Oyer & Terminer in Dec'r last	100.	—.	—
To the Auditor General ½ a Years Salary ending the 25th of Ap'l last	50.	—.	—
To the Solicitor for the same time	50.	—.	—
To the Attorney Gen'l for the same time	35.	—.	—
To the Clerk of the Council for the same time	50.	—.	—
To the Ministers for preaching one Gen'l Court	6.	—.	—
To the Armorer	6.	—.	—
To the Batterys	22.	—.	—
To Repairs about the Governors House	78.	14.	10
To paid William Prentis for Contingent Charges	354.	19.	—
To the Adjutant	75.	—.	—

And out of the Quit Rents.

To the Commissary	£50.	—.	—
To the Attorney General	35.	—.	—

Ordered. That a Commission of the Peace issue for the County of Accomack & that Southy Rew, Wm. Gore, Thos. Parrimore, Robt. Pitt & Ralph Justice be added to the present Justices.

The Petition of Andrew Giles Gent. for leave to practise as an Attorney in the County Courts of this Dominion was read at the Board & refer'd to Mr. Attorney General & Mr. Benj'n Needler to examine the Pet'rs qualifications & to make Report thereof to this Board.

Philip Morgan having obtained a Survey for One thousand Acres of Land in Brunswick County in the Year 1727 upon the

encouragement of His Majesties County & Drury Stith Gent. Surveyor of the said County having this day made proof that he return'd a Platt & Certificate for the said Land w'ch were afterwards lost in the Secretarys Office where by the s'd Morgan hath been hitherto disappointed in taking out his Patent It is Ordered on the Petition of the s'd Morgan that a Patent be now granted without paying any Rights.

The following Petitions for leave to take up His Majesties Lands were read and granted as follows, viz.:

To Henry Robertson One thousand Acres joining John Nances, Thomas Yarbrough & Stith Hardways Lands on both sides little Nottoway River.

To John Ormsby, Clerk, four thousand Acres on both sides Nottoway Road to the branches of Mamazene Creek joining Lee, Westbrook & Bolling in Amelia County.

To Richard Echols twelve hundred Acres in Amelia County on a branch of Nottoway River called by the Name of the Harricon Creek beginning at a small Pine mark'd R E about a quarter of a Mile below Douglass Path running down the Creek for quantity.

To John Williamson twelve hundred Acres already laid off in several Surveys lying on the Branches of the North ffork of James River called the Meadow Creek near Charles Linch in Goochland County & to have an inclusive Patent for the whole.

To Sam'l Pincham nine hundred Acres in Amelia County joining his own Land & to have an inclusive Patent.

To Charles Moreman & Charles Mills four thousand Acres beginning on a branch of Meachom River & on the North side Meachoms River betwixt Morman & Meachoms River in Goochland County in one or more Surveys.

To George Braxton Sen'r & George Braxton Jun'r, Humphry Brooke, Robt. Brooke, Robt. Rose & Thos. Chew forty thousand Acres lying on both sides the Fluvanna & on both sides The Pedlar[29] River in Goochland County below the great Mountains.

To John Jackson fifteen hundred Acres joining his own land

[29] In the western part of the present Amherst.

on the Burchen Swamp in Amelia County & to have an inclusive patent.

To Thos. Chew & Robt. Rose Clerk four thousand Acres (being chiefly barrens) lying between their three Surveys in Goochland County & to have an inclusive Patent for the whole.

To Dav'd Walker one thousand Acres lying in Prince George County joining his own land on Buck Skin Creek & bounded by the lines of Robt. Mundford & Joseph Stroud.

To John Burrow eight hundred Acres in Prince George County beginning on the line of Col. Robert Mundford deceased thence down Harrys Swamp to the line that divides Surry & Prince George Counties thence along the s'd line to the line of Thos. Hunt thence along his line to the line of Thos. Butler thence along his line to the line of Thomas Stroud thence along his line to the line of Joseph Tucker thence along his line to the line of Daniel Tucker thence to the said John Burrows line & to the beginning.

To William Cary eight hundred Acres in Prince George County beginning on Charles Pistols upper corner on the South side great Catt Tail and running down his line to Carys Entry including his former entry of four hundred Acres.

To William Watson nine hundred Acres on both sides the little Creek of Deep Creek joining Bollings, Robertsons & Worshams lines in Amelia County.

To William Crawley three thousand Acres on both sides the great branch Wintidomiack Creek joining Tuckers & Bollings lines in Amelia County.

To William Watson two thousand Acres on the lower side of flatt Creek joining his own & Mayes line in Amelia County.

To Edward Thweat eight hundred Acres on both sides the ffalls branch joining his own Bollings & Deweys line in Amelia County.

To William Cary One thousand Acres in Prince George County joining on Joseph Worshams line at the upper flatt branch down to Capt. Richard Jones's line & so to the lower flatt branch thence to Mr. Herberts line on the ffox branch.

To Tarlton Flemming William Mayo & Stephen Hughes eight hundred Acres of high barren land bounding on four thousand three hundred Acres of low land on both sides

Willis's Creek in Goochland County granted to them formerly & to have an inclusive Patent.

To Wentworth Webb Leave to have an inclusive Patent for twelve hundred Acres already Surveyed joining Thos. Christians Land on John Phelps's Creek & Bare Garden Creek in Goochland County.

To William Randolph[30] John Harmer & Walter King ten thousand Acres on the branches of Roanoke beginning at a Mountain called the Wart, to extend Northward under the blue Ridge of Mountains in one or more Surveys.

To Joseph Mayo eight hundred Acres in Henrico County lying between his own land, Alex'r Robinsons, Abneys & the head of the white Oak Swamp & to have an inclusive Patent.

To William Cabble [Cabell] Leave to have an inclusive Patent for four thousand eight hundred Acres on James River in Goochland County already laid off in several Surveys.

To William Bedshaw Leave to have an inclusive Patent for twelve hundred Acres in Goochland County already Surveyed for him in several Surveys.

To William Mackain three thousand Acres beginning at Capt. Richard Cocks lower Corner in the ffork of James River & thence on the River Branches to little Breemer [Bremo] Creek to compleat the quantity.

To William Randolph[31] John Harmer & Walter King twenty thousand Acres on Tye River & Rock ffish River beginning at Ties & Roses South or South East line to extend towards the mouth of Rock ffish River in one or more Surveys.

To Antho. Relhan, Thos. Cade, Jas. Relhan, Rd. Kennon, Wm. Kennon Jun'r & Frances Kennon Sixty thousand Acres on Cubb Creek beginning on Thos. Ridleys Bark Camp & so up & down both sides the said Creek & towards the Mountains between the main Rivers of Roanoke & Appamattocks in Brunswick County.

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[30] This grant was in the present County of Patrick, west of the Irving River, as the Mayo was then called. It was probably, at the time, the most westerly grant in that part of the Colony. The first of the grantees was William Randolph, of "Turkey Island," member of the Council. Harmer and King were prominent merchants.

[31] This grant was in the present county of Nelson.

Whereas John Hyde Saunders hath humbly represented to this Board that on the 19th day of July 1735 he obtained a Patent for four hundred Acres of Land in the County of Goochland as laps'd from George Stoval and John Saunders & that upon examining the Courses of the said Patent it appears by a mistake of the Surveyor that the first course instead of running West is described to run East seventy Chain whereby the Petitioners Land is quite left out & his course runs into an elder Patent, And praying that the same may be rectified & a new Patent granted him according to the true bounds of the said Land vizt.: beginning on the back line of the land formerly granted to Bartho. Stoval now in the possession of Allen Howard on Stovals Branch thence on the said Howards line & Capt. Isham Randolphs line to a corner Oak of the said Randolphs Tract thence South on the lands of the said Randolph, John Taylor & William Mayo to a corner Oak then East to a corner Poplar on the aforesaid Branch. The Governor with the advice of the Council is pleased to Order As it is hereby Ordered That upon the Petitioners returning a new Platt & Survey into the Secretarys Office according to the true bounds of the lands intended to be granted him and surrend'ring his former Patent a new Patent be granted according to the Prayer of his Petition.

At a Council held at the Capitol June 15th, 1738.

PRESENT:

The Governor

Wm. Byrd	John Custis
Cole Diggs	Wm. Randolph*
John Robinson	John Tayloe
John Carter	Ph. Lightfoot &
John Grymes	Thos. Lee Esq'rs.

Whereas William Mayo Gent. Surveyor of Goochland County

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* William Randolph of "Turkey Island," (1681-1742), was clerk of Henrico county 1710-20, Clerk of the House of Burgesses, 1702-12, and appointed to the Council 1728. For his epitaph, &c., see this Magazine, III, 261-264,

was employed to prepare Maps of the Boundaries in dispute between His Majesty & the Lord ffairfax Proprietor of the Northern Neck & having accordingly finished several of the said Maps sent to England and one to be kept in the Council Office It is Ordered that in consideration of his expence of time & the trouble he hath been at in this Service there be paid him One hundred & twenty Pounds Current Money out of His Majesties Revenues of 2s. p. hhd.

It being represented to this Board by the Officers of His Majesties Revenue that divers of the Sheriffs have neglected to perfect their Acco'ts of His Majesties Quit Rents It is ordered that unless the said Sheriffs do Complete their Rent Rolls & pay to the Receiver General the several Sums of Money received by them for the said Quit Rents on or before the 20th day of the next Month that then His Majesties Attorney General is hereby directed to bring suit against such delinquents & their Securitys in the General Court & the Clerk of the Council is Ordered to give the said several Sheriffs Notice hereof.

The Governor in Council was pleased to Nominate the following Persons to be Sheriffs for the ensuing Year, viz.:

For the County of	
Nansemond	Lemuel Reddick.
Lancaster	Jos. Chin.
Brunswick	Nicho. Lanier.
Richmond	Wm. Jordan.
Isle Wight	Thos. Jarrel, Junr.
Eliza. City	Wilson Curle.
Prince George . . .	Isham Epes.
King & Queen . . .	Philemon Byrd.
Middlesex	Churchil Jones.
York	Wm. Nelson.
Norfolk	Wm. Portlock.
Caroline	Robt. Farish.
Hannover	R'd Clough.
Princes Ann . . .	Chas. Malborn.
Accomack	Jas. Wishart.

Dudley Digges Gent. on his application is appointed to supply the Vacancy of Surveyor of the Customs at Cape Charles in the room of Mr. Griffith Bowen dec'd.

On reading at the Board Sundry Letters from Jas. Logan Esqr. President of the Province of Pennsylvania & also a Letter from the Lieut Governor of New York inclosing a representation from the Commissioners for Indian affairs at Albany whereby it appears that the Government of New York expects that this Colony should be at the expence for maintaining the Cherrikee & Cataubaw Indians during the time of their Treaty with the six Nations at Albany It is the Opinion of this Board that such a demand from this Government is very unreasonable in regard those Nations of Indians live at a great distance from hence within the Province of South Carolina or Georgia & that this Government is no other waise concern'd in the quarrel between the said Nations then to medeate a peace between them which is solely for the Interest of the Provinces of New York & Carolina to which they respectively belong & since the Government of New York thinks fit to insist on these Terms & that it appears the said Indians of the Cherrikee & Cataubaw Nations may Negotiate a Peace upon much easier Terms with the Six Nations (who are equally desirous of the same) without the intervention of either Government, It is therefore Resolved that no further application be made to the Government of New York on that subject but that an Interpreter be sent with the said Cherrikees & Cataubaws to Connestogow there to meet the Interpreter of Pensilvania who according to Mr. President Logans Letter will procure them a conference with the deputies of the six Nations & assist them in setling the Terms of peace between them.

On reading at this Board the Humble Petition of divers Merchants Trading to the West Indies representing that they have great quantities of Indian Corn lying in their Warehouses which they have offered to sell at a moderate rate but can find no purchasers & that if the same continues on their hands until the heat of the Summer encreases it will be in danger of spoiling & praying that the Prohibition on the Exportation thereof may be discontinned. It is the Opinion of this Board & accordingly ordered that from & after the twentieth of this Month no further restraint on the Exportation of Corn be continued.

On the Application of Mr. Samuel Baron Commander of the

ffort at Point Comfort, It is Ordered that a further Sum of One hundred Pounds be advanced him towards finishing the said ffort.

Ordered, That the General Assembly which now stands Prorogued to the second Thursday in August be further prorogued to Wednesday the first of November at w'ch time It is intended to proceed on business.

The Several Petitions of Dudly Digges[32] & Philip Prescot Gent. for Licences to practise as Attornies in the County Courts are referr'd to Mr. Attorney General or Mr. Benj'n Needler to examine the Pet'rs qualifications & make report thereof to this Board.

Ordered, That a new Commission of the Peace issue for James City County & that Mr. Rich'd Booker who has refused to act be left out & Mr. Edm'd Walker & Mr. Leon'd Hendly be Added.

Andrew Wade having entered a Caveat & prefered his Petition for a grant of Fourteen hundred Acres of Land survey'd divers Years agoe for John Smithing as is suggested on hearing the Parties it appearing to this Board that the Deft. hath obtain'd a Patent for one thousand Acres of the said Land & that the other four hundred Acres being a seperate Entry hath not yet been surveyed, It is Ordered that the said Caveat be dismis'd.

The Caveat entered by Rich'd Wood against Robert Childers for four hundred Acres of Land in Henrico is dismis'd it appearing that the return of the Survey of the said Land hath been delayed by the death of the Surveyor & not through any default of the Deft. And it is Ordered that the said Childers have a Patent for the aforesaid Land.

The Petition & Caveat entered by Gilbert Elam agt. Wm. Moore & Benja. Branch for seven hundred Acres of Land in Henrico County on hearing the Parties it is ordered to be dismiss'd.

Gilbert Elam having petition'd for a Grant of four hundred Acres of Land lying on Deep Creek in Henrico County survey'd

[32] He was probably a son of Dudley and Mary (Hubbard) Digges. See *William and Mary Quarterly*, I, 143, 144.

for John Aikin upwards of six Years agoe & no Patent sued out for the same the Petitioner having proved his Allegations It is Ordered that a Patent be granted him for the said Land.

(TO BE CONTINUED.)

REVOLUTIONARY ARMY ORDERS

For the Main Army under Washington. 1778-1779

(From Originals in the Collection of the Virginia Historical Society.)

(CONTINUED.)

Head Quarters May 14, 1778.

Brigadier to Morrow Waine.

F. O. Colo[1] Shepard[1] & L[t] Carlton[2].

Brig[e] Major Banister.

Inspector from the 1 Pennsylvania Brig.

The Troops are in future to be exempted from exercise every Fryday afternoon which time is allowed them for washing their linen & bathing.

The Sergeants who Conduct the Squads to bathe are to be particularly Carefull that no man remain longer than ten Minutes in the water, & Commanding Officers of Regiments are to Order two windows at least to be made in each Hutt—as the 2 N. Carolina Levenstons & Angles[3] Reg[t] ars Sickly the Commanding Officers of those Regiments will apply for Tents to remove their men from their Hutts.

At a Brig[e] Court Martial in the Artillery May 9, 1778, whereof Colonel Proctor[4] was President Capt. F——— Proctor[5] Tryed

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[1] Probably Col. William Shepard of Massachusetts.

[2] Lieutenant Colonel Samuel Carlton of Massachusetts.

[3] Colonel Israel Angell, 2d Rhode Island regiment.

[4] Col. Thomas Proctor of Pennsylvania.

[5] Captain Francis Proctor of Pennsylvania, who had been dismissed from the service on April 14th, 1775, and reinstated. Heitman gives his present dismissal as on April 14, 1778.

for scandelous & infamous behaviour unbecomeing the Character of a Gentleman and a Officer, also for breaking his arrest & threatning the life of Capt. Rice[6] in an unGentlemanlike manner in different Companies, acquited of the Charge of breaking his arrest but found Guilty of Scandelous behaviour unbecoming the Gentleman & Officer being breaches of the 21 Article 14 Section of the Articles of War & Sentanc[d] to be discharged the Service. The Commander in Chief approves the Sentance & Orders it to take place immediately.

At a Gen[l] C. Martial whereof Col[o] Febeger was President May 5th, 78, L[t] Carter[7] of Colonel Baylors[8] Regiment of light dragoons Tryed for neglect of duty in leaving the different Roads unguarded from Barron Hill Church to Philadelphia by which means the Enimy advanced a body of Horse & foot to the said Church and Surprised and made Prisoners of a sub. & his Party who had returned to the Church for refreshment, after mature deliberation the Court are unanimously of opinion that L[t] Carter is Guilty of the Charge exhibited against him, being a breach of 5 Article 18 Section of the Articles of war but that he must have misunderstood the orders given him by Capt. McClaine[9] which exceedingly mitigates his neglect of duty and Sentance him to be reprimanded in Gen[l] Orders, the Commander in Chief approves the Sentance and discharges L[t] Carter from his arrest and orders him to repair to his Regiment, he hopes he will in future pay very Strict attention to Orders of his Commanding Officer as he must plainly see the ill effects that have arrisen from misapprehention.

	C	S	S	C	P
Detail for Guard . . .	–	–	1.	–	6
In Guards	–	–	–	1.	10
Fatigue	1.	1.	1.	–	16
Q[e] Guard . . . . : .	–	–	–	1.	6
	1.	1.	2.	2.	38

[6] Probably Joseph Rice of Pennsylvania, Captain 1st Continental Artillery.

[7] John Hill Carter of Virginia, Lieutenant 3rd Continental Dragoons.

[8] George Baylor of Virginia, Colonel 3rd Continental Dragoons.

[9] Probably Capt. Allen McLane of Delaware.

Head Quarters May 15, 1778.

Brigadier Gen^{l} to morrow Poor F. O. Colonel Butler & L^{t} Col^{o} Darbin, Brig^{e} Maj^{r} Haskell.

Inspector from the 2^{d} Pensylvania Brigade General McIntosh being appointed to a seperate Command & requireing a little time to prepair for it Colonel Clark[10] is to take immediate Command of the North Carolina Brigade and discharge the several duties of Colonel Commedant till further orders except administering the Oath to the Officers agreeable to former Orders which Gen^{l} McIntosh is Continued to do while he Stays in Camp.

James McHanrey[11] is appointed assistant Secretary to the Commander in Chief and is to be obeyed and respected accordingly. The Court of Inquiry whereof General Varnom was President Report that alltho the illconveniances suffered in Colonel Green's Regim^{t} would naturally promp him to request an inquiry, yet Col^{l} Steward has acquited himself with propriety being no way Contributary theirto—The Proportion of paper will be delivered to the several Brigades to morrow. No Suttler or Soldier are to give any Rum or Spirituous Liquors to Indians on any pretence whatever a beach of this order will be immediately and severely punished.

	S	S	C	P
for Guard.	–	–	1.	6
In Guards.	–	–	1.	10
Fatigue.	1.	1.	0.	16
Quarter Guard.	–	–	1.	6
	1.	1.	3,	38

Head Quarters May 16, 1778.

Brigadier to Morrow Varnom.
F. O. Colonel Becker & Major Shepard.
Brig^{e} Maj^{r} Seely.
Inspector from Poor's Brigade.

[10] Col. Thomas Clark of N. C.

[11] Secretary of War 1796–1800.

A most pernicious practice has in many Instances prevailed of Officers leaving Camp either upon Furlough or what is Still worse to Quit the Service takin with them Soldiers in the capacity of Servants this abuse so detrimental to the Army and so injurous to the Publick is positively forbid in future and Commanding Officers of Regiments are injoined to prevent its being practiced on any pretence what ever this to be Considered as a Standing and invariable Order.

It is not impropable that the army may soon find it necessary to make a suden and rapid movement the Commander in Chief Reminds the officers of the Order of the 27 of last March respecting Baggage if their shoud be any that should have been inatentive to it they must abide the consequences of it as it is determined that no hindrance to the motions of the army will be suffered to happen on account of an incumbrance which ought to have been removed—As the hot Season advances the time of exercise will be an Hour sooner than heretofore. The whole Army will therefore be under arms at 5 O'Clock precisely. The Inspectors and Brig^{e} Majors will regulate their watches agreeable to the Clock at head Quarters.

Honours due from the Guards to the General & other Officers of the Army to be observed in future.

1st Guards Commanded by Commissioned Officers are for the Commander in Chief to Parade and Present Arms the Officers Saluting and drums beating but as in Camp before the Enimy it woud not allways be proper to anounce the Presence of the Commander in Chief his Excellency therefore Orders that the drums do not beat—2ndly for Major Gen^{l} & Generals and field Officers of the day the Guards Present Arms—3d for Brigadier Generals thay Parade with handled Arms—4thly for the Adjutant General and Inspectors of Divisions the same—5thly Guards Comm^{d} by N. C. Officers Present Arms for the Commander in Chief Major Gen^{l} Brig^{r} Generals, field Officers of the day Adjutant General—Inspectors of Divisions field Officers of their Own Regiment & Inspector of their own Brigade, Centinalls Present arms for all General Officers field Officers of the day Adjutant General and Inspectors of Divisions & the Centinalls in Camp likewise to the field Officers of their own

Regiment—The Guards of the Commander in Chief pay no honours but to him; the Guards of Majr Generals pay no Honour but to the Commander in Chief & the General to whom thay are on Guard—Guards of Brigr General pay no honour but to the Commander in Chief to Major Generals and the Brigr to whom they are on Guard, when a Guard Parades they must be formed in two Ranks agreeable to the Instructions allready given for the formation of Troops. The Officers to the Right of the front Rank a sergeant Covering him in the same manner as formed for the Charge the drums to the Right of the officer and the Centinal to the Right of the drums a little advanced, their must be no singal Man the Centinall will give the time the Officer faceing to the left gives the word Present Arms and with the last motion faces again to the front, faceing again Commands Shoulder &c., keeping to the Right of his Guard when occation may Require—N. B. the last Article Respects only the Guards in Camp in time of war—In Garrison or in time of Peace—The Guards Parade at open Order and the Officer advances four paces before the Center when it happens that a Genl or field Officer of the day passes a Guard during the time thay are Releiving both Guards pay the honours before mentioned without altering their Position tho they shoud pass behind either of the Guards. When a Battilion or Detachment pass before a Guard they must Carry Arms & beat a march & if the Battn or Detachment has Colours the Officer Salutes them—When a body of Men without Arms even if thay are Country Men if their numbers are equal or Stronger than the Guard the Centinal shoud alarm the Guard & the Guard turn out till they have passed—When a Guard in Marching to its Post or in Returning meat a General or Field Officer they shoud Carry arms & Continue their March—When a Single Soldier with arms meats any Officer he should halt, Frunt & Carry Arms till the Officer has Passed. When two Guards or detachments meats they should both Carry Arms and incline to the Right to make room for each other to pass.

	S.	S.	C.	P.
Detail for Guard . . .	–	2.	1.	6

In Guards	–	–	1.	10
Quarter Guard . . .	–	–	1.	6
	–	2.	3.	22

Head Quarters Valley Forge May 17, 1778.

Brigadier Gen[l] Muhlenburg

F. O. L[t] Colonel Harney[12] & Major Campbell.

Brig[e] Maj[r] Marshall.

The Commanding Officers of Regiments & Corps are to make an exact Return to morrow at 10 O'Clock at head Quarters of the arms deficiant in their Respective Corps. The Commissary of Military Stores is allso to make a Return the 21st Instant of all the arms received from and delivered to the Army from the 1 November last Specifying the particular Corps and the number Received from and delivered to each. The Commanding Officer of Regiments & Corps are expressly derected to Call in by the 1st June all Soldiers belonging to their several Corps who are now distributed in the several Departments of the Staff in the Quality of Servants and to prevent any others in future beeing made use of in the same manner.

	C.	S.	S.	C.	P.
In Guards	–	–	1.	1.	10
for Guard	–	1.	1.	0.	6
Command Parade at 5 O'Clock	1.	2.	2.	1.	48
Quarter Guard.	–	–	–	1.	6
	1.	3.	4.	3.	70

Head Quarters May 18, 1778.

Brigadier to Morrow Patterson.

F. O. L[t] Colonel Crupper[13] & Maj[r] Conway[14].

Brig[e] Major Marvin[15].

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[12] Lieutenant Colonel Selby Harney of North Carolina.

[13] Lieutenant Colonel John Copper of Virginia.

[14] Probably Major John Conway of New Jersey.

[15] Probably Elihu Marvin of Connecticut.

Inspector from Learnard's Brigade.

The Commander in Chief has the pleasure to inform the Army that the Honorable Congress have bin pleased to Come to the following Resolution: In Congress May 15, 1777, Resolved unanimously that all Military Officers Commissioned by Congress who now are or hereafter may be in the Service of the United States and shall Continue therein during the war and shall not hold any office of Provit under these States or any one of them shall after the Conclusion of the war be entitled to receive annually for the term of Seven Years if they live so long one half the present Pay of such Officer. Provided that no General Officer of the Cavalry Artillery or Infantry shall be entitled to Receive more than the one half part of the Pay of a Colonel of such Corps respectively and Provided that this Resolution shall not extend to any Officer in the Service of the United States unless he shall have taken a Oath of Alegiance to and shall actually reside in some one of these United States. Resolved unanimously that every Non Commissioned Military Officer and Soldier who have enlisted and shall enlist in the Service of these States for and during the War and shall Continue therein to the end thereof shall be entitled to Receive the further Reward of 80 Dollars at the Conclusion of the War.

The whole Army are desired to prepair in the best manner possible for a suden and immediate movement[16].

	S	S	C	P
for Guard . . .	–	1.	–	6
Command . . .	1.	1.	–	2
In Guards . . .	–	–	1.	10
Quarter Guards . .	–	–	1.	6
	1.	2.	2.	24

[16] This probably refers to the possibility that it might be necessary for the whole army to go to the rescue of Lafayette, who with 2,000 men was posted at Barren Hill some eight or ten miles in front of Valley Forge, and who was threatened by a force of 5,000 English troops under General Grant. This order shows how prompt and accurate was Washington's information from Philadelphia. Grant's movement was to begin on the 19th, and was intended to surprise the Americans.

Head Quarters May 19, 1778

Brigadier General to morrow Waine F. O. Colonel Green & Lt. Col. Ballard[17] Brigl. Major Minnis.

Inspector from Patterson's Brigade.

The Commanding Officer of Regiments are to make returns to the Q. M. General of Tents absolutely wanting in each for such men as cannot be accomidated Consistent with their health and Comfort in Hutts—It will be Relyed on in these Returns that none will make a larger demand than the real cituation of their Respective Regiments requires—The Q. M. General will make Issues on these Returns. The Sub and Brigade Inspectors Majors of Brigades & Adjutants of the Army will assemble at the Baron Stuben's Quarters at 10 O'clock tomorrow morning precisely—their they will Receive perticular Orders.

At a G. C. M. whereof Colonel Bowmam was President May 13. 78, John Rynolds an Artificer in Majr. Pollards[18] Corps, Tryed for Stryking Lt. Hammett found Guilty of the Charge & Sentanced to Receive 100 Lashes. The Commander in Chief approves the Sentance and is to be in execution to morrow morning at Guard Mounting on the Grand Parade. Samuel Ramond at the same Court Tryed for presenting a loaded Muskett at Lt. Hammet[19] upon due Consideration the Court are of opinion that Saml. Ramond is Guilty of the Charge exhibited against him—but the extreem & unpardonable warmth with which the Officer Conducted himself renders the action of the Prisoner in some Measure excuseable & operates with the Court so much in his favour that they only Sentance him to be reprimanded by his Commanding Officer in presence of the Troops to which he belongs—Also John Coffin Tryed for abusing Captain Gowerly[20] when attempting to surpress a Riott the other side Schuylkill found not Guilty and acquited—The General approves the two last mentioned Sentances & Orders them to take place immediately.

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[17]Lt. Col. Robert Ballard of Virginia.

[18]Heitman states that Benjamin Pollard of Pa., was Captain in an artificer regiment.

[19]Probably Lt. John Hammit of N. J.

[20]Captain Thomas Gourley of Pa.

After General Orders May 19 1778, 3 Captains 6 Subs 6 Sergeants & 187 Rank and file to Parade to morrow morning 5 O'Clock in front of late Conways Brigade where an Engineer will attend to show the work. Colonel Febeger will oversee the whole and see that the Men are properly Supplyed with Tools from the Quarter Master General, they will work from 5 to 10 in the morning and 3 to 7 in the afternoon.

	S	S	C	P
Detail for Guard . .	1.	1.	0.	6
Command . . .	–	–	1.	9
In Guards . . .	–	–	–	10
	1.	1.	1.	25

Head Quarters May 20 1778

Brigadier to morrow Maxwell
F. O. Colonel Chaimbers[21] & Majr. Winslow[22]
Brige. Major Claybourn[23]
Inspector from Weldons Brige.

	S	C	P
Detail for Guard . . .	1.	–	6
Weeks Command . . .	–	1.	9
In Guards	–	1.	10
	1.	2.	25

Head Quarters May 21 1778

Brigadier Genl. to morrow.
F. O. Colonel Read & Major Moor Brige.
Major McComack.[24]
Inspector from Muhlenburgs Brigade.

The Inspectors &c are to attend at Baron Stubens Quarters to morrow at the hour appointed in the Orders of the 19th Instant if their is any Person in the Army who understands making

[21]Col. James Chambers of Pa.

[22]Major Nathaniel Winslow of Mass.

[23]Captain Buller Claiborne of Va.

[24]Probably Capt. George McCormick of Va.

thin Paper such as Bank notes are Struck upon, thay are desired to apply immediately at the Orderly Office where they will be shown a sample of the Paper. Officers Commanding Regiments are to publish this in Regimental Orders—Mr. Vowles[25] Adjt. of the 7 Virginia Regiment is appointed to do duty of Brigade Major in General Woodfords Brigade till further Orders.

At a General Court Martial May 15 whereof Colonel Bowman was President. Captain Cleveland of Colonel Jackson's Regiment Tryed for behaving in an un Officerlike manner in Refuseing to do a Tour of duty when duly notified, found not Guilty& acquitted with honour. Tho Captain Cleveland ought not to have been warned for duty when Returned Sick, Yet the General cannot applaud the Spirit in which acquited him in Refusing obedience to positive Orders and declining a Tour of duty of such a kind as might in all appearance be easily performed by Captain Cleveland in his Circumstances. Capt. Cleveland is Released from his Arrest, At a Brig[e] Court Martial May 18, 1778, L[t] Colonel Crupper Presidant Capt. Edward Hull[26] of the 15 Virginia Regiment Tryed for Gameing when he ought to have been on the Parade the 17th Inst found Guilty of Gameing but acquited of non attendance upon the Parade and Sentanced to be reprimanded by the Commanding Officer of the Brigade in presence of ali the Officers thereof. At the same Court L[t] Thomas Lewis[27] of the same Regiment Tryed upon a similar Charge and found Guilty & Sentanced the same as Captain Hull. The Commander in Chief however unwilling to decent from the Judgment of Court Martial is obliged utterly to disprove the Sentance the punishment being in his opinion utterly inadequate to the offence. A practice so pernitious in its Self as that of Gaming so prejudicial to Good Order and Military discipline so Contrary to positive and repeated General Orders when Carried to so inormous a hight—as it appears an

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[25] Henry Vowles of Va.

[26] Edward Hull was Captain 15th Virginia Regiment and retired September 14, 1778.

[27] Thomas Lewis served as Lieutenant until February 12, 1781, when he retired. Afterwards, from 1792 to 1801 he was a Captain United States Army.

agrivated Certainty in the Case of L[t] Lewis by additional offence of no trifeling Military Consequences—absent from Parade—demanded a much severer penalty than a simple Repremand. Capt. Hull & L[t] Lewis are Released from their arrests.

	S.	C.	P.
Detail for Guard . . .	1.	0.	7
Command	1.	1.	2
In Guards	1.	1.	8
Quarter Guard	–	1.	6
	3.	3.	23

Head Quarters May 22 1778.

Brigadier to Morrow Scott.

F. O. Colonel Brown & Maj[r] Hopkins[28].

Brigade Major Berryan[29].

Inspector from Conway's Brigade.

The Auditor's Office is Removed to James Floyds within a Mile and half of the Paymaster Generals. At a Gen[l] Court Martial whereof Major Bowman was Presidant May 16–78 L[t] Addison[30] of the German Battilion Tryed for behaving in a manner unbecome an Officer and Gentleman in abusing Colonel Nicksons[31] Family unanimously found Guilty and Sentanced to be discharged from the Service—approved and Ordered to take place immediately. At a Brig[e] Court Martial May 18, Major Wallace[32] Presidant L[t] Marks[33] of the 11 Virginia Regiment Tryed for not attending the Parade of the 13th Instant unanimously acquited with honour—likewise L[t] William Powell[34] Tryed upon the same Charge and acquited in the

[28] Major Samuel Hopkins of Virginia.

[29] Probably John Berien, then of the North Carolina Brigade; but earlier, Lieutenant in the 1st Georgia.

[30] Lieutenant John Addison of Maryland.

[31] Col. Thomas Nixon of Massachusetts.

[32] Major Gustavus B. Wallace of Virginia.

[33] Lieutenant Isaiah Marks.

[34] The only William Powell in Heitman is a lieutenant in the 11th Virginia, who, the compiler states, resigned July 10, 1777. He probably re-entered the service.

like manner. The General observes that sickness or indisposition is certainly a sufficient excuse for not attending the Parade, but it ought to be an established Rule to signify it either in person or wrighting thro the Adjutant to the Commanding Officer of the Regiment to which the Officer Concerned belongs, these Gentlemen in not doing this were deficient in the line of regularity and propriety—hereafter the excuse shall not be admited, unless this shall be observed, unless where any very perticular Circumstances Renders the observance impracticable which can rarely happen.

	S.	S.	C.	P.
For Guard . . .	–	1.	0.	7
In Guards . . .	–	–	1.	8
Fatigue . . .	1.	1.	0.	16
Quarter Guard . .	–	–	1.	6
	1.	2.	2.	37

Head Quarters May 23 1778.

Brigadier Gen[l] to morrow Patterson.

F. O. Colonel Dayton[35] & L[t] Colonel Sherman.

Brigade Major Stagg[36].

Inspector from Huntingtons Brigade.

Till further arraingements of the Army is made Maj[r] General Lee is to take Charge of the Division lately Commanded by Major General Green and in Case of action or any General movement of the Army the Three eldest Major Generals present fit for duty are to Command the two Wings & Second Line according to their Seniority. The Commanding Officers of Regim[ts] and Corps will immediately apply for Orders upon the Commissary Military Stores for all the Arms and accoutrements wanting to Complete their Men. The Quarter Masters of Brigades will also make out Returns and apply for Orders for ammunition to Complete each man to 40 Rounds and two Flints.

[35] Col. Elias Dayton of New Jersey.

[36] John Stagg of New York.

All Officers are Called upon to see that their mens arms and accoutriments are put in the best Order possible, they will likewise take perticular Care that their men have wooden drivers fixed in their pieces at the hours of exercise to prevent an unnecessary waist of Flints—they are not to be absent from Camp on any Pretence whatever but be in actual Readyness to march at a moments warning.

	S.	S.	C.	P.
Detail for Guard . . .	1.	–	1.	7
Command	–	–	–	2
In Guards	–	1.	1.	8
Quarter Guard . . .	–	–	1.	6
	1.	1.	3.	23

B. O. May 24 1778

A Return to be immediately given in to the Brige. Quarter Master by each Regiment of the number of napsacks Bayonetts & Canteens wanting to Complete their respective Regiments who will immediately apply for them.

Rich'd Parker Colonel.

G. O. Head Quarters May 24 1778

Brigadier General to morrow Wayne.

Field Officers Colonel Patton[37] & Major Sumner.

Brigade Major Banister.

Inspector from Varnoms Brigade.

The General Court Martial whereof Colonel Bowman was Presidant is disolved another is Ordered to set to morrow morning at 9 O'Clock to try all such Prisoners as shall be brought before them Colonel Chaimbers will Preside—each Brigade gives a Captain for the Court all Persons concerned to attend at a Brigade Court Martial May 22 78 Lt. Colonel Cropper President Lt. Davis[38] of the 11th Virginia Regiment Tryed for encouraging a soldier to stay away from his Regiment for refuseing when the Soldier was sent for by a Guard to let him go to his

[37]Col. John Patton of N. C.

[38]Thomas Davis, who died during 1778.

Regiment and for speaking disrespectfully of the Officer who sent the Guard for the Soldier a second time, upon mature deliberation the Court are of opinion he is not Guilty of Speaking disrespectfully of the officer who sent the Guard for Sergeant Davis tho of opinion that his detaining the Sergeant was unwarrantable but considering that his error seams to have arose from what he thought was doing his duty do acquit him—Lt. Davis is ordered to be released from his Arrest.

	S	S	C	P
Detail for Guard . .	–	1.	0.	9
Command . . .	–	–	–	2
In Guards . . .	–	1.	1.	8
Quarter Guard . . .	–	–	1.	6
	—	—	—	—
		2.	2.	25

Head Quarters May 25 1778

Brigadier Genl. to morrow Muhlenburg.

F. O. Colonel Swift[39] & Colonel Hoobley[40]

Brigade Major Haskell.

Inspector from McIntoshes.

The Regimental Surgeons will apply to the Flying Hospital Store for Hoggs lard and Sulphur they are to make Returns more punctual on Mondays—Several Guns, Packs & Cartridge Boxes belonging to some Soldier in the Army are left at the Orderly office—The Muster Master General & Commissary of Prisoners will move their Quarters to Mr. Evans house half a mile North of Sullivans Bridge by Perkeomin Creek.

The Regimental Paymasters are to giv in their Abstracts to the Paymaster General immediately for examination for the Month of April—Proceedings of a General Court Martial May 1st 78 Colonel Febeger Presidant. Lt. Adams[41] of the 10th Pensylvania Regiment Tryed for unGentlemanlike behaviour in propagating a Report that an officer of the 10th Pensa. Regimt. had behaved Cowardly at the action of German Town & when

[39]Col. Herman Swift of Conn.

[40]Lt. Col. Adam Hubley of Pa.

[41]Lieutenant Francis Adams.

desired by Colonel Hoobly to name the Officer for refusing to do it in an unbecomeing manner unanimously found Guilty of the Charge being a breach of the 21 Article 14 Section of the Articles of War and Sentanced to be discharged from the Service. His Excellency the Commander in Chief approves the Sentance and Orders it to take Place immediately.

	S	C	P
Detail for Guard . . .	1.	1.	8
In Guard	–	1.	8
Quarter Guard . . .	–	1.	6
	1.	3.	22

Head Quarters May 26 1778.

Brigadier Gen[l] to morrow Poor.

F. O. Colonel Grason[42] & L[t] Colonel Wisingfield[43] Brigade Magjor Sonard.

For Detachment Maj[r] Gaskins[44]. Inspector from Gen[l] Woodford's Brig[e].

The Commander in Chief perceiving that the Regimental Returns mutually differ in number of Sick Absent from the Hospital Reports notwithstanding these were lodged with the Adjutant General that the Regimental Returns might be rectifyed and adjusted by them, he Calls upon the Commanning Officers of Regiments to make Returns to morrow to the Adj[t] General specefying the number of all their Sick Absent & where they are and the time when they was sent to them that the difference abovementioned may be satisfactorily accounted for, in doing this the Strictest account is to be paid to the Hospital Reports.

The Independent Corps Commanded by Captain Scaylen are immediately to bury the Offell Carran [offal and carrion] near the Black Bull. The Commissary General of the Staff will in future apply to the Commanding Officer of that Corps for a

[42] Col. Wm. Grayson of Virginia.

[43] Lieutenant Colonel Frederick Weisenfels of New York.

[44] Thomas Gaskins of Virginia.

party to burry the offell near his Stall—a sub Serjeant Corporal & 8 Men with the Comm^{r} from each Brigade are to be sent immediately in the vecinity of their respective Brigades to seize the Liquors that they may find in the unlicenced tippling houses. The Commissaries will give Receipts for the Liquors they shall Ceize and notify to the Inhabitants or persons living in the vicinity of Camp, that an unconditional Ceize will be made of all Liquors thay shall presume to sell in future.

A Flagg will go into Philadelphia tomorrow.

	C	S	S	C	P
Detail for Guard . .	1.	–	1.	1.	6
Weeks Command .	–	1.	–	1.	11
In Guards	–	–	–	1.	7
Quarter Guard . .	–	–	–	1.	6
	1.	1.	1.	4.	30

VIRGINIA LEGISLATIVE PAPERS.

FROM ORIGINALS IN THE VIRGINIA STATE ARCHIVES.

(CONTINUED)

OFFICERS OF VOLUNTEER COMPANIES AT WILLIAMSBURG, TO THE CONVENTION.[1]

July 26, 1775.

[Printed; but without the signatures, in the Gilmer Papers, Virginia Historical Collections, Vol. VI, pp. 98, 99.]

[1] The volunteers of the Colony, fresh from civil life, were disposed to take the initiative in many ways improper for soldiers. This is shown by several communications from the officers at Williamsburg to the Conventions. In this case the letter here referred to was laid before the Convention on the 27th, was immediately considered in committee of the whole, and it was resolved that the proceedings of the officers, though they arose from the best motives, could not be approved, and that they be required to desist from carrying their plans into execution.

NORFOLK BOROUGH COMMITTEE OF SAFETY, TO THE CONVENTION.[1]

Norfolk Borough Committee Chamber,
July 28, 1775.

The Committee, being informed that a Resolution has passed the Honorable Convention of this Colony, restricting the exportation of provisions after the fifth day of August next, and being fully sensible of the exceeding great hardships, to which many of our constituents will be thereby subjected, do instruct the members of this Committee, who are members of the Convention, to exert their utmost endeavours to procure a reconsideration of said Resolution, as bearing very heavily upon the merchants, who, reposing full confidence in the latitude for exportation granted by the General Congress, have made large contracts for the articles so prohibited and have now on hand considerable quantities of those perishable commodities—have chartered Vessels in foreign parts and regulated the voyages of their own shipping, so as to suit the continental regulations, without any expectation or reason to expect any such provincial restrictions. The said members are also hereby further instructed to point out the peculiar hardships arising from the short notice between the passing the said Resolution and the said fifth day of August, when it is to take effect: by which means the mer-

[1] Norfolk was at this time a flourishing town, dependent entirely on commerce, and the order of the Convention brought almost certain ruin to the inhabitants. The resolution of the Convention was adopted July 24, 1775, and forbid the exportation of flour, wheat or provisions of any kind after August 5th. On August 4, the Convention took into consideration the instructions from the Committee of the Borough of Norfolk, and the petition from the Committee of Northampton (which is printed below) and declared that they were decent and respectful and merited due consideration, and explained the reasons which influenced the Convention. A petition, however, from the merchants and traders of Norfolk is severely censured. On August 8, as the Maryland Convention had refused to concur in the prohibition of exportation of food-stuffs, the Virginia body rescinded its order, and left exportation open until September 10.

Norfolk was full of Scotch, English and Irish merchants who, in the main, were loyal to the British Government.

chants, unapprized of any such intention, unprepared for any such event, have had no opportunity to regulate their trade agreeably to this unexpected resolve, but are suddenly prohibited from commerce in the midst of their engagements and to the very great prejudice of their concerns. And further to inform the Convention that we fear this measure will be productive of great disputes between buyers and sellers, as well as between committees and their constituents; and that for our parts we are really under some apprehension that so chearful an obedience will not be paid to this distressing injunction, as our constituents are ever desirous to pay to all the decisions of that honorably body; and that we humbly request that the said Resolution may be repealed, at least so far as to give time for vessels that are now loading to take in their cargoes, and to allow the merchant some opportunity to order his affairs in the best manner he can to blunt the edge of this sudden calamity.

Ordered that the Secretary transmit a copy of these instructions to Thomas Newton, Junr., James Holt and Joseph Hutchings, Esq'rs, to be laid before the Convention.

Extract from the Minutes.

WILLIAM DAVIES,[3] Sec'y.

NORTHAMPTON COUNTY COMMITTEE TO THE CONVENTION.

1775.

To the Honorable the President and Delegates of the people of Virginia now assembled in Convention in the Town of Richmond, in the County of Henrico—the humble petition of the Committee of Northampton County in behalf of themselves & their constituents.

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[3] William Davies, son of the eminent Presbyterian divine Samuel Davies, was afterwards an exceedingly efficient officer in the Revolution. Entering the service as captain he rose to the rank of colonel and served through the war. As a member of the Virginia Board of War he rendered especially valuable services. After the war he was a successful lawyer in Petersburg. He married Mary, widow of Alexander Gordon, of Petersburg, and daughter of James Murray, and among his descendants was Rt. Rev. Francis M. Whittle, Bishop of Virginia.

Humbly sheweth

That the people of this County have ever been jealous in support of the common cause and have inviolably observed those regulations established by the General Congress for maintaining the Liberties of America—fully convinced that those regulations would be strictly adhered to by all Ranks and orders of men our constituents have formed many engagements and entered into various Contracts in which they have considered themselves as under the Faith and protection of the Country whilst they walked within the line prescribed them by the united voice of all America—amongst other things they have in all their engagements had a particular Eye to that very material clause which prohibits the Exportation of all merchandize from this Country to Great Britain or the West Indies after the tenth Day of September next and have taken their measures in such a manner as may be little burthensome to themselves as possible and at the same time with a full determination strictly to perform that clause of the Continental Association—it is therefore with the utmost Sorrow we are informed that the Convention of this Colony has directed that a total stop be put to the export of Grain and provisions from and after the fifth Day of August next a measure which if strictly enforced will bring the greatest Distress upon many merchants and private families in this place and which hath hitherto subsisted amongst us whilst the Determinations of Congress were received as an invariable rule of Conduct in those points which that very respectable Body have taken under their consideration. Your petitioners beg leave to represent to the Convention that the people of this place raise very large quantities of Indian Corn which is generally unsold late in the Summer and altho we believe there is not so much now on hand as is usual at this season yet there are such quantities as to ruin many persons who have made Contracts respecting the same if the ports are immediately stopped.

Your petitioners therefore in behalf of themselves & the other Inhabitants of this place pray that the exports to the West Indies may be kept open till the 10th of September next and we beg leave to assure the Convention that the greatest care will be taken by this committee to prevent the exportation of any provisions to the Northward where there may be the least

Danger of their falling into the hands of the Army and that it will be our constant study to enforce within the limits of our appointment those regulations of the general Congress or Convention of this Colony which are now entered into or may hereafter be adopted in support of the common cause.

Northampton County, 29th July, 1775.

John Bowdoin, Chairman.

John Burton	John Respuss
Mich. Christian	John Kendall
John Harmanson, Sr.	John S. Harmanson
Nathaniel L. Savage	Geo. Savage
John Wilkins	Griffin Stith
Isaac Avery	William Roneld.

JOHN BOWDOIN[1] TO THE PRESIDENT OF THE CONVENTION.

NORTHAMPTON, July 30, 1775.

Sir:—

Inclosed I send you a Petition from our Committee to the Convention as we but yesterday heard that the Convention had come to a Resolution to stop the Exportation of Grain & Provisions after the 5th of next month praying that the Export for Indian Corn may be kept open or permitted till 10 September should the Convention make no alteration in their first Resolution, many Traders and Planters will be greatly Injured here. I fully Intended to have been at the Convention but the Indisposition of my family prevented which was the case with Mr. Burton our other Delegate.

I am with the Greatest Respect Sir Your ob't Serv't

JOHN BOWDOIN.

Treaty Between Virginia and the Indians at Fort Dunmore (Pittsburg) June, 1775.

[All writers on this period of our history—or at least all whose works are accessible—have been either ignorant of the treaty here printed, or have made only vague allusions to it, which

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[1] John Bowdoin, son of Pierre Bowdoin of Boston, who died in 1706, emigrated to the Eastern Shore of Virginia and had many descendants.

are evidently colored by their opinions of the later actions of John Connolly, who was the principal agent in the negotiations.

The old theory was that from the beginning of "Dunmore's War" Lord Dunmore was treacherous to the Colony, that he desired that Lewis be beaten at Point Pleasant, and that from this time he employed Connolly as a secret agent to incite the Indians against the whites. As far as Dunmore is concerned this idea must now be abandoned. Mr. Thwates states, very correctly, in his preface to *Dunmore's War* (XXIV), that "a study of contemporary documents will convince any fair-minded student of history that Lord Dunmore acted in this episode with disinterested discretion." And it is probable that the same change of opinion should be made in regard to Connolly's actions up to the summer of 1775.

The history of this treaty is as follows: At the treaty made by Dunmore with the Indians at the close of the war, they delivered hostages to him, and were told that the treaty would be ratified by the Virginia Assembly, and that in the spring of 1775 the Governor would again meet them, settle finally all difficulties and return the hostages.

During his western campaign Lord Dunmore became acquainted with Dr. John Connolly, a native of Lancaster, Pa., and a man of intelligence and energy. The Governor appears to have gone into partnership with him in land speculations and appointed him a major of militia and commandant at Pittsburg, which was then claimed as being in Augusta county, Va. Connolly had orders to rebuild Fort Pitt and to protect the interests of Virginia against Pennsylvania. The fort was rebuilt and named Dunmore. There are among the Virginia State Archives all of the bills for the erection of Fort Dunmore, with attestations headed "Augusta county, Va., to-wit."

Connolly made himself very obnoxious to the Pennsylvanians by the firmness, and, perhaps, indiscretion, with which he insisted on the rights of Virginia over the disputed territory. As the Pennsylvania Archives are in print, and little or nothing has been made public on the Virginia side, Connolly's career prior to the Revolution has suffered from prejudiced statements.

In the spring of 1775 as the Indians heard nothing of any con-

firmation of the treaty of 1774 and their hostages were still held prisoners, they became restless and threatening.

On June 14, 1775, the Virginia House of Burgesses received a communication from Richard Bland, member of Congress, who acquainted the House that several persons in West Augusta had addressed Congress stating the great dangers from Indians to which they were exposed, and because it was thought that the provincial Assemblies could not take action in time, Congress was asked to appoint commissioners from Virginia and Pennsylvania to meet the Indians. These petitioners stated that they were informed that the commandant (Connolly) for (the English) Government had instructions to assemble the Indians at Pittsburg, where the hostages and prisoners should be given up. The petitioners were jealous of the designs of Government, and therefore asked the intervention of Congress. The House of Burgesses immediately took the matter into consideration, and appointed Thomas Walker, James Wood, Andrew Lewis, and Adam Stephen commissioners to ratify the peace between the Colony and the Indians. On June 15, the House having received further information of the great discontent of the Ohio Indians at the delay in the ratification of the treaty Lord Dunmore had concluded with them in 1774, ordered that the treaty should be immediately entered upon.

It was determined that James Wood who had wide acquaintance and much influence among the Indians should proceed at once to the frontier and engage the attendance of the chiefs at the proposed treaty. He set out about June 25, and was absent nearly two months. In his passage through several tribes of Indians he was informed that General Carleton's emissaries from Canada had urged them to take up the hatchet. He was frequently in danger of his life; but at last was able to remove their prejudices and persuade them to promise to attend the treaty. These facts are ascertained from the journal of the Virginia Convention under date of January 5, 1776, when a reward of £250 was paid him for his services. Extracts from Wood's Journal during this trip are printed in Kercheval's *History of the Valley*, 3d ed., 136–137.

In the mean time conditions which seemed dangerous to the

people in Williamsburg appeared still more critical to the inhabitants of the frontier. Major Connolly, acting under the instructions of the Governor, who very properly desired to fulfil his promise to the Indians made the year before, and also, as will appear later, with the assistance and advice of the Committee of Safety of West Augusta, sent out invitations to the Indians to attend a treaty at Pittsburg. With the exception of the Shawnese, the tribes which were invited came. The conference lasted from June 19 to July 6th and a satisfactory agreement was reached. Connolly was arrested by the Pennsylvania authorities on June 21 but was released before the 29th. This arrest had nothing to do with any charge of disloyalty to America but grew out of the boundary dispute.

Wood, who arrived at Fort Pitt on July 9th, mentions the treaty which had just been made and says it was held "in the most open and candid manner, that it was held in the presence of the committee and that he (Connolly) laid the Governor's instructions before them."

On July 21, 1775 the proceedings of this treaty and certain resolutions of the committee were laid before the Virginia Convention, and on the 25th that body resolved that the committee of the county of Augusta had acted with the greatest propriety and prudence, and that the expenses of the treaty and the money advanced in presents to the Indians ought to be reinbursed by the public. This endorsement by the Convention strengthens the probability that prior to August, 1775, Connolly had not been guilty of any double dealing, nor had he endeavored to incite the Indians against the whites. Up to the time of the treaty printed below Dunmore had hopes of a reconciliation. He presented Lord North's "Olive Branch" to the Assembly which met on June 1, and it was not until the end of June that he showed an intention to commit hostile acts. Connolly visited him at Portsmouth about August 1st, and from this time may really be dated his efforts to bring about an attack by the Indians on the whites. Connolly went to Boston in September, laid his plans before General Gage and returned to Virginia in October. On November 23d, while on his way to Detroit, he was arrested at Hagerstown, Md., incriminating

papers were found on his person, and he spent the rest of the Revolutionary period in American prisons.

There is no documentary evidence, of a date prior to Aug. 1, 1775, to show that Dunmore and Connolly were endeavoring to excite the Indians against the Whites. Winsor (*Westward Movement*) states that in May, 1775, Dunmore informed the English government that Connolly at Pittsburgh had been instructed "to endeavor to incline the Indians to the royal cause." But it is possible that Mr. Winsor construed Dunmore's letter in the light of later events. At that time everybody in Virginia professed an "inclination to the royal cause." It is true that in his plan laid before Gage, Connolly stated that under Lord Dunmore's instructions, he had prepared the Western Indians to act in concert against his Majesty's enemies. There is however nothing in his known actions to confirm this claim.

In the fall of 1775 the Commissioners appointed by the House of Burgesses met the Indians and made a satisfactory treaty with them.

See Winsor *Westward Movement* 86 &c; the Journals of the Va. House of Burgesses and Conventions as cited; Forces Archives, 4th series, Vol. I, 475-483, 1222; II, 612-615; III, 71, 1542, 1660-1661; Kercheval's *History of the Valley of Virginia* (3d ed.) 129-139; *Dunmore's War*, Wis. Hist. Soc.; and Withers' *Border Warfare* (new edition).

JOHN CONNOLLY TO THE CHIEFS OF THE SHAWANESE.

To the Chiefs of the Shawanese.

Brethren: I am sorry that the Business which has for some time past employed the great Man of Virginia should have prevented his meeting you at this place agreeable to his promise made you when in your Country. But as that great Business yet continues he desires some of the Chiefs of the Shawanese to come up as soon as possible to the forks of the River so that the Chain of Friendship may be brightened and the affairs that were not finally settled with you and the Mingoes may be adjusted to our mutual satisfaction. It is possible the Great Man

may be here to meet you, but if not, some person will be appointed by him to speak to you which I hope will be sufficient to convince you his younger Brethren the Shawanese that notwithstanding the great hurry of his affairs he had not forgot their Interest. Your friends who went with the great Man I expect will meet you here.

Given under my hand and Seal this 19th day of May, 1775.

(Signed) JOHN CONNOLLY, [L. S.]

JOHN CONNOLLY TO THE CHIEF OF THE MINGOES.

To the Chiefs of the Mingoes.

Brethren: The great Man of Virginia at this time being engaged in very Important Business which may probably prevent his coming as soon as he could wish or you might reasonably expect in order to convince his Brethren the six Nations that he is not however unmindful of the situation of some of your friends who lately have imprudently offended against his people has given me directions to call you together to this place as soon as possible in order to brighten the antient Chain of Friendship and to restore to you in health and peace the young men of your Nation which have remained here with us this Winter. Your Friend the great Man of Virginia will if possible meet you here, if not he will appoint some person for him to shake hands with his Brethren the Mingoes and to renew that Friendship between your people & the Big Knife which he hopes may never again be shaken.

Given under my hand and Seal at Fort Dunmore this 20th May, 1775.

(Signed) JOHN CONNOLLY, [L. S.]

JOHN CONNOLLY TO THE CHIEFS OF THE DELAWARES.

To the Chiefs of the Delawares.

Brethren: The great hurry of Business which has for some time past engaged the great Man of Virginia may possibly prevent him from coming out at this time to see you—yet mindful of the great friendship that was shewn to his people by his Brethren the Delawares he has desired me to call in the Chiefs

to this place so that the Chain of Friendship may be brightened and that the regard which he has for his Brethren the Delawares may be shewn to all persons.

It may so happen that the Great Man may not have the satisfaction of personally shaking hands with his Brethren the Delawares. But in case that should happen from the important Business in which he is now engaged he will appoint some person for him to assure them of his steady Friendship and the Remembrance which he has of their late attachment to his people during the late Troubles.

Given under my hand and Seal at Fort Dunmore this 21st May, 1775.

(Signed) JOHN CONNOLLY, [L. S.]

ALEXANDER MCKEE TO THE CHIEFS OF THE SHAWNESE AND MINGOES.

To the Chiefs of the Shawnese & Mingoes.

Pittsburgh, May 20th, 1775.

Brethren: As you have now received Messages from your Brother the Governor of Virginia to come to a meeting proposed to be held with you at this place you will be able to satisfy the uneasiness of your people for their friends detained amongst us and as I hope there is a near prospect of every thing relative to them and other matters between you and your Brother the Governor of Virginia being settled to your mutual satisfaction therefore your own anxiety will I make no doubt expedite a few of your Chiefs speedily to attend upon this occasion agreeable to the Invitation you have received and that you will not be deter'd by or pay regard to any misrepresentations you may hear.

A String.

ALEX'R MCKEE,
Dep'y Agent for Indian Affairs.

MINUTES OF TREATY AT FORT DUNMORE (PITTSBURGH).

Fort Dunmore, June 19th, 1775.

A number of six Nation Chiefs arrived in consequence of a

message sent them to attend a treaty to be held with the Western Indians by the Earl of Dunmore on behalf of the Colony of Virginia.

June 21st.

The above Chiefs met Major Connolly at Col. Croghans where they performed those Ceremonies of wiping the tears away and cleaning their Ears with removing every uneasiness from the heart; after which they informed him that they would wait upon him the next day at the fort and speak further to him.

June 22d.

The six Nations being arrived here in order to have a Meeting with Major Connolly agreeable to their Engagement yesterday were disappointed; This Gentleman having been carried oft the Evening before by a number of armed men and taken towards Ligonier the Indians therefore informed me that they would be glad to speak to the Principal Inhabitants here and desired that I would be present.

At a Meeting of the Principal Inhabitants of this place, the six Nations spoke as follows:

Brethren: Yesterday we spoke to our Brother Major Connolly who represents the Big-knife, Coll. Croghan and Keyashuta. We wiped the tears from their Eyes, opened their Ears and cleared their throats that what we might say to the White people might have a due Impression on their minds, but when we came to this place to day to speak again to our Brother the Big-knife, surprised to find nothing but his bed, himself not to be found we are at a loss to account for the reason, but when we look back to the Councils of our wise forefathers our hearts continue to retain the same good sentiments towards you.

Brothers, you know you sent to our Town this Belt and that you allowed us to come here to the Council Fire, we are now come as you see us agreeable to your Invitation to listen to every thing that is good which has been of so long continuation between us.

A Belt.

Brethren: Our Brother the Big Knife and Mr. McKee sent this speech to us last summer advising us in what manner to

conduct ourselves in the troubles at that time that as we had no Chiefs among us in the towns we lived in we were to be pitied, therefore you desired us not to take any Notice of the foolish part that some people were acting at that time.

Brothers, tho' we are young we took your advice and recommended the same to our young men and have now met you this day in Council.

A String.

Brethren: The Big Knite and Coll. Croghan sent us up a speech desiring us to be in readiness to come down to a little Council fire and to bring two of each tribe along with us as the times were hard on account of scarcity of provisions; We are now come as you see us with sincere friendship towards you and we hope yours is the same to us.

A Belt.

Brethren; This is all we have to say at this time and we want to know at what time we shall have an answer.

to which the following reply was made:

Brethren: We return you thanks for the kind professions of Friendship you have made to us by your speeches & will thoroughly consider them and give you an answer as soon as possible.

A String.

June 26.

A Message to the Six Nations.

Brethren, Chiefs of the six Nations:

As some Chiefs of our Brethren the Delawares are expected here this day: we request that you would also remove and encamp near them opposite to this place as you will then be more convenient when we are ready to speak to you which we hope will be very soon; and we desire you will not be uneasy on that account untill those of our friends necessary to be present are collected together.

A String.

At a Meeting held with the Indians at Fort Dunmore June 29th, 1775, on behalf of the Colony of Virginia.

PRESENT:

Major John Connolly, Alex'r McKee, Esq'e, Dep'ty Agent, Coll. George Croghan.

Majors William Crawford, Edward Ward, Thomas Smalman, John McCollough.

Captains Stephenson, Pentecost, Graydon.

John Campbell, John Cannon, Alex'r Ross, John Gibson } Gent. Justices of the Peace.

The Rev'd Mr. Balmain, Mr. Charles Simms } Att'y at Law.

with a number of other Gentlemen principal Inhabitants of the Country.

INDIANS.

Six Nations.

Keyashota
Enyouyouda
Cauchcauchcauteda
Sonowois
Sirewhoane

Delawares.

Custaloga
New Corner
Capt. White-eyes
Capt. Pipe
Capt. Killbuck
Seapichili
Esheeaunechowet
Metechamin.

Warriors.

Concuyendan
Gughsanego
Togashsweganent
Canechtowne.

Major Connolly spoke as follows:

Brethren, Chiefs of several Nations, present:

I am glad to see so many of you met together on my Invitation, and I take this opportunity of bidding you hearty welcome; agreeable to Custom, Brethren, I wipe the sweat and dust from off your bodies which the Fatigue of your Long Journey hither many have occasioned.

A String to each Nation.

Brethren : I next clear your Ears of every false and evil report that may have entered them on your way and that may be prejudicial to the occasion we are now met upon that you may be the better able distinctly to comprehend what may be said to you.

A String to each Nation.

Brethren : I now wipe the tears from your Eyes which hath been shed for the losses you have sustained in the death of any of your friends since we last saw each other in Council; and I likewise remove any Grief from your hearts which may continue to give you Trouble on this account, that your minds may be at ease and Tranquility to receive the good speeches that is to be delivered to you with satisfaction.

A String to each Nation.

Bretheren :

Chiefs of the six Nations Present.

It gives me pleasure to see so many of you here who have shewn your Wisdom by a strict adhereance to the peace of this Country during the last summer, and that I have an opportunity of restoring into your hands those of your Emigrants who have been heretofore led astray who we hope for the future will have the benefit of your wise advice and I would be glad to convince you that it was the sole design of your Brother the Big-knife in ordering them to be brought to this place and that we had nothing more at heart than the general good of the whole which I make no doubt you will be fully convinced of and that you will cheerfully join with us in establishing a lasting friendship.

A Belt.

Brethren :

Chiefs of the Mingo Prisoners.

As we now return you into your former situation in the chain of friendship we are to expect that you will be strong in promoting good and that you will ever for the future have a due regard to the advice and Councils of the wise Chiefs of the six Nations whom you will always find so strictly united in friendship with their Bretheren the English as not to be shaken and they are the only people who study your real welfare. Therefore we

make no doubt from the friendly and brotherly treatment you have met with amongst us, that it is our greatest desire to live in peace and amity not only with you but all our Indian Bretheren, in promoting of which from your Knowledge now of our kindness you will have it greatly in your power to promote and to enable you to this good end, We deliver you this belt.

A Belt.

Bretheren :

Chiefs of the several Nations.

As our younger Bretheren the Shawanese are not yet arrived and we have finished the necessary Ceremonies usual upon such occasions between who are present, we think it best to wait a few days for the Shawanese as it is probable we may in that time see or hear from them; This will convince them we were not unmindful of them.

A String.

This is all Bretheren the Big knife has to say to you at Present.

The answer of the six Nations to the speech requesting their opinion whether the Treaty is to be delay'd for the coming of the Shawanese.

Brother the Big Knife : We like well to hear what you say concerning our younger Bretheren the Shawanese which will convince them they were not forgot by either of us, but as our situation here is well known to both of us with respect to the scarsity of provisions, time cannot be delay'd long, however we are willing to stay three days and if we do not hear from them in that time we shall then be better able to judge how to proceed at our meeting.

A String.

The Delawares answer to the same.

Bretheren : We return you thanks for what we have heard today, we are glad to see from what has passed that our friendship bears so good an aspect, what the six Nations have agreed to with regard to the Shawanese, we are satisfied with.

A String.

Inquiry being made after two remaining Prisoners, the fol-

lowing Message was sent by the six Nations and Delawares to the Shawanese.

Bretheren the Shawanese: As your Brother the big Knife and we are now in Council strengthening the Chain of Friendship and your Brother the Big Knife makes a request to us that you will send up as soon as possible, two prisoners who are yet in your custody; We desire you to be strong and to comply with it and also perform every other promise you have made to the Big Knife at Camp Charlotte last Fall, as they have now complied with our request to them in delivering up our flesh and blood at this time.

A MESSAGE TO THE SHAWANESE BY DAVID DUNCAN.

Brethren of the Shawanese:

As there has now some considerable time past, since that appointed for you to meet here in Council and that Chiefs from the six Nations and Delawares are and have been waiting for you; I therefore take this opportunity by David Duncan to inform you of those things and that we have also heard that some French men who have been amongst you had called you to a Council; If this is the real cause of your delay I would be glad you would inform me of it as I cannot possiby remain here much Longer and those Nations now met here are desirous of returning home.

Given under my hand & Seal this 1st day of July, 1775.

(Signed) JOHN CONNOLLY, [L. S.]

To the Chiefs of the Shawanese.

At a meeting held with the Indians at Fort Dunmore the 3d day of July, 1775, in behalf of the Government of Virginia.

PRESENT.

Major John Connolly, Alex'r McKee, Esq'r, Dep'y Agent, Col. George Croghan and the rest of the Gentlemen as before.

INDIANS.

The same Chiefs and Warriors of both Nations as before.

The six Nations spoke as follows;

Bretheren: A few days ago when we met together in Council you then performed the Ceremonies usual on such occasions and also delivered up our flesh and blood for which we are extremly thankful and we can assure you when we report it to the Council of the six Nations it will afford them singular satisfaction.

When you delivered them up you desired them to listen to their own Chiefs; we have told them to be strong and to turn their Eyes towards us which they have promised to do for the future.

A String.

Bretheren: Our Flesh and Blood whom you have delivered up to us, are very thankful for what you have done for them as well as us, and we now accompany the belt you gave them with this string to the heads of those scattering Mingoes* upon Scioto and recommend it to them in Conjunction with you to observe the advice which you gave them on your part and we now desire them to look towards the Chiefs of the six Nations for the Government of their future Conduct.

Shew'd a Belt and a String.

Bretheren: As we cannot well do without a person who understands the Language of the six Nations, We therefore desire that Simon Girty should be appointed to interpret any matters we may have to say to you hereafter upon Public Business; and if it is agreeable to you we desire that your String may accompany ours to the six Nations upon this Subject to let them know of such agreement.

Bretheren: When you first invited us to this Council fire, We expected that Business would not be delayed. We have now waited the three days for our younger Bretheren the Shawanese,

* The original Mingo tribe was conquered by the Iroquois about 1675 and the remnant incorporated in their league. The Mingo of the eighteenth century were a mongrel race, chiefly wanderers from the New York Iroquois stock.

and we would be glad how soon any further Business you may have with us could be finished.

A String.

From the Delawares to the six Nations, spoke by Capt. White Eyes.

Uncles the six Nations—

It gave us your Nephews great pleasure to hear you and your Bretheren the White people relate over matters relative to the friendship which has been established between us at Sir William Johnstons and we congratulate you upon the restoration of your friends and we are obliged to our Bretheren the White People for the good advice which they have given them and we not only desire them to be strong and turn their Eyes towards the Chiefs of the six Nations; but we desire that scattered Mingoes will remove and settle themselves under the Eyes of their Chiefs this will be the right method of taking Pity on your Women and Children and preventing disturbances for the future.

A Belt sent to the Stragling Mingoes on Scioto.

Major Connolly told the several Nations that he was glad they appeared so well satisfied and requested they would be ready tomorrow to appear in Council when they were sent for and that he would then speak further to them.

At a Council held at Fort Dunmore the 4th day of July, 1775.

PRESENT.

Major John Connolly, Alex'r McKee, Esq'r, Dep. Agent, Coll. Croghan with the same Gentlemen as before.

Indians same as before.

Major Connolly spoke to the Different Nations as follows:

Bretheren.

Chiefs of the six Nations present.

As you appeared yesterday in Council anxious of returning home and no certain accounts when the Shawanese are to be expected, therefore at your desire we now proceed to finish the Business that we met upon.

A String to each Nation.

Bretheren: We have hitherto spoke of matters which been always considered at meetings by our wise men; We next by these Belts collect all the bones of our deceased friends who have unfortunately fallen into the late disturbances by the rash conduct of foolish people instigated by the spirit and after burrying them deep in the Earth we transplant the tree of peace over them that every Remembrance of them may for ever hereafter be buryed in a future Enjoyment of a lasting Friendship.

A Belt to each Nation.

Bretheren: As some foolish people of both sides have found means of getting into their possession Warlike Weapons with which they destroyed one another We now take them out of their hands in behalf of the great Man of Virginia who proceeded into your country last year with this design and after thus convincing them of their folly, he then buried them deep in the earth. With the Belt we press the Earth close upon them that they may never rise again.

A Belt to each Nation.

Bretheren: As we have buried the bones and weapons which our young people held in their hands and used against each other, by this Belt we now remove the Thorns and Briars which have grown up in the path towards the Sun setting during the late disturbances which we now deliver to our Bretheren the Delawares to be handed thro' them to the Shawanese, Weyandots and other Western Nations being best situated for that purpose and that they may now inform our Western Bretheren that the Road is again opened and may now be travelled towards this Council fire with Ease & Safety. That they may be assured that from henceforwards our great people and the six Nations the Road has never been obstructed but has been and yet remains plain and open as ordered by our wise men.

A Road Belt.

Bretheren: As we now have the pleasure once more of entering into our Antient Council house, by this Wampum as usual on such occasions I sweep it clean of all Dusts which it has contracted since we last met into it, and I wipe away all those

spots which may have fallen upon it that no stain of Discontent may remain to trouble us, but when we are seated in it with ease and tranquility we may be enabled to look around us and see every thing appear clear and fair to our view.

A Belt of White Wampum to each Nation.

Brethren. Chiefs and Warriors of the several Nations here present.

Listen with attention to what we are now going to say to you. I rejoice Brethren that it has pleased God to permit so many of you to meet here this day at your old Council fire. It gives me pleasure to see you come with a good design of giving your assistance to repair it and adding such fuel to it that the Blaze will again be beheld by all Nations in friendship with us, and that notwithstanding the bad spirit had got so far the better of some foolish people to disturb it, we have been still able to guard it and preserve it from being totally extinguished by their rash inconsiderate Conduct which we now earnestly desire may be entirely forgot and buried in oblivion so that nothing may remain to interrupt us at this time from renewing the Friendship Covenant made and maintained long by our wise forefathers and that this fire which they have kindled for our mutual advantage may by our prudence burn bright to our latest posterity.

Brethren: From the Confidence we have all reason to place in the Wisdom of our Bretheren the Delawares as well as their regard for the peace of this Country which they have manifested in many Instances of their Conduct during the late troubles Therefore as a Testimony of our Sincerity on this occasion we deliver into their hands this Belt of Friendship desiring that they would not only hold it up to the view of all here present but to all those linked in the great chain of Friendship with us that what now has passed between us may be held in constant Remembrance.

A Large Belt representing the chain of Friendship.

Brethren. As we have now finished every material matter and brightened the chain of Friendship, I have to inform you that your Brother the Big Knife is desirous that you should

acquaint your people to refrain from hunting amongst his people who are now settling in great numbers on the South side of the Ohio until we may have an opportunity of regulating their Settlements least any accidents prejudicial to the peace now established should happen.

A Belt.

Bretheren : With respect to the speech you delivered yesterday desiring the Continuance of an Interpreter I shall forward it to Colonel Johnson who no doubt will consider the necessity of allowing one to be continued and so soon as I am favoured with his directions I shall acquaint you of it.

A String.

At a Council held at Fort Dunmore the 5th July, 1775.

PRESENT.

Major John Connoly Alex'r McKee Esq'r Dep. Agent and the same Gentlemen as before—

Also the same Indians of each Nation.

The Chief Warriors of the Senecas in presence of the Six Nations spoke as follows:

Bretheren the Big Knife : You invited us to a small Council Fire at this place to which we readily repaired and we are extreamly glad to hear the good speeches which you have now delivered us. We are now fully convinced that you are our sincere friends and that you are determined finally to settle the late disturbances which happened in this Country. We desire you to be strong and always continue in the same way of thinking. The Warriors and the Women are particularly thankful for this agreeable circumstance and return you their hearty thanks—During the late disturbances the Chiefs of the six Nations were at a loss how to judge of the matter from appearances but they are now heartily satisfied with your conduct and friendly disposition towards them and return you their hearty thanks also.

A Belt.

Bretheren the Big Knife: We are very much obliged to you for calling to our recollection the good speeches which have passed between our forefathers and from what you have said now there remains no doubt of a lasting Friendship.—As the Communication from all Quarters is now open to this Council Fire which you have now prepared we would gladly remind you of one thing which is That you would appoint a Smith to mend our Guns and Tomhawks as usual when we passed up and down this River. And further, that there may be a person appointed for the regulation of trade at this place as it would be very agreeable to all Nations and prevent Impositions on us in our Dealings with you; and as Amunition is so dear and Game become so scarce that it is out of our power to provide ourselves with that article, We therefore desire you to take Pity upon us and consider of this matter.

A String.

Major Connolly made them the following answer:

Bretheren, The Chiefs and Warriors of the Six Nations:

I would be extreamly glad to do every thing in my power to comply with your Request touching the Regulation of Trade, but as the Great Man of Virginia is much engaged in Business of Importance at this present at that being a matter of consequence cannot be directly complied with, but I make no doubt as soon as circumstances will permit, the Great Man will consider of that matter and will do every thing necessary to satisfy you upon that head. As to the Smith that being a Business immediately under the direction of Colonel Johnson, Capt. McKee will write to him upon that Subject and you will do well to transmit a speech to him signifying the same request.

A String.

Capt. White Eyes then desired the Attendance of his Uncles the six Nations and his Bretheren the Big Knife at the Council House tomorrow morning as he had something to say to them.

July 6th, 1775.

The Council met according to appointment when Capt. White Eyes in behalf the Delawares spoke as follows:

Bretheren the White People and Uncles the six Nations:

As it was proposed yesterday we have met again in the Council House which has been cleaned and made white; We have reason to thank God for allowing us to meet this day and we hope he will be a witness to what passes between us, as you have given us the Chain of Friendship to hold forth to all Nations you may be assured we shall be so particular in that circumstance, that if a Tomhawk was to be struck into our head it should not disengage our hands from the fast hold which we have taken of that Belt; and that you may depend upon it that our utmost attention shall be constantly employed in reflecting upon the good speeches which have now passed between us, and in strengthening and promoting the Friendship as directed by our wise forefathers.

Two Strings one to the White people and the other to the Six Nations.

It gives us particular pleasure that you call upon God to witness our Transactions as he is present upon all occasions and by his assistance we hope what now passes between us may have a lasting Effect. That what has been said on your parts comes sincerely from your hearts as you may be assured that what you now hear from your Bretheren the Dellawares is intirely so and that our Women and Children may hereafter have reason to rejoice at our present transactions.

A Belt to the White People and another to the six Nations.

Bretheren the White people and Uncles to six Nations: As you have sweeped out the Council house at your Antient forefathers and lighted up the Council fire We look upon it incumbent upon us to afford you our best assistance in this good work, therefore on our parts upon this belt we wipe clean those Council Seats and that when who are young people are sitting in it, it may call to our minds, and consider the prudent Conduct of our wise people formerly with ease and satisfaction and you may depend upon it that we shall always govern our young people in such a manner as never to disturb the good business which is now so happily brought to a conclusion.

Two belts delivered as before.

Uncles the Six Nations Listen to what I am now going to say to my Brother the Big-Knife.

Bretheren the White People: As you have now put the Chain of Friendship into my possession in the presence of my Uncles the Six Nations I now inform you that I take fast hold of it with both my hands: I am glad you have now told us that God will look down upon what passes between us and this is our desire, it puts us in mind of the friendship cultivated by our Forefathers when they first met at the shore side of the great Water and we were so fond of continuing that Friendship, then cultivated that we removed back to give you room to settle as you grew more numerous as we then always understood you were one people and governed by one King: We now desire the Big Knife to put one End of this Belt into the hands of King George our Mutual Father and acquaint him we are setled at Quisoching where we hold fast by the other end being the Centre of a tract of Country given to us by our Uncles the Wyandots where we are ready to hear from our great Father the King of England and as we were first that you were one people and had but one King We hope that since we now have become one people, that matters may continue upon the same peaceable footing as we conceive them to be at that same time and that one King shall continue to govern us.

A Belt.

Capt. White Eyes then addressed his Uncle the Six Nations and desired them to look to the place above mentioned when they had anything to say to their Nephews the Delawares, after which he made the following speech to their Bretheren of Pennsylvania—

Brother the Governor of Pennsylvania—

As I have informed my Brother the Big Knife that I am now settled at Quisoching I take the same opportunity of informing you my Brother of Pennsylvania of our situation; that you may also acquaint our Brother King George of it and that you will put the one end of this belt into his hands and assure him that altho' that antient Friendship which was first made by our Forefathers and yours on their arrival into our Country from the other side of the great Water was for some time disturbed

yet no sooner did we recollect that antient friendship and had our Eyes opened and saw our Bretheren, than we determined to hold fast by that antient chain as made by them which has been strengthened at this time and as the first white people acquainted our forefathers that they were all one and governed by one great King we now hope the same order may still continue as we are deeply interested in that matter from friendship and that the King also would do every in his power to promote good amongst all his people—We have delivered you this Belt that what you say may correspond with what we have said to our Brother the Big Knife upon the same subject—

A Large Belt.

Bretheren the White People and Uncles the Six Nations: You have heard what I have said to you and as I have been busily imployed last Fall in bringing about the good work that we are now engaged in as well as last spring, We have now prospect of everything being happily concluded.

A String.

Capt. Kilbuck then address'd the Big Knife in behalf of the Delawares.

Brother the Big Knife: We are glad to hear what you said yesterday concerning our young Peoples hunting on your side the Ohio. You may be assured we shall comply with it and we shall inform our young People at the Wabash to refrain from hunting there untill such time as they hear from this place.

A String.

Brother: You have mentioned that the Trade at this place shall be regulated. We would be very glad you would consider of that matter as soon as possible as our young men may as well sit down and not fatigue themselves to hunt whilst goods are so unreasonable.

A String.

Keyashota in behalf of the six Nations present holding the several Belts and strings which had been delivered in Council to them, returned thanks for the good speeches which had been delivered upon them and said that it gave them the greatest satisfaction to find that we had taken so much pity on them and

that as none of the very heads of the six Nations were present that We would be friendly enough to excuse their not speaking to you so fully as you might have expected upon this occasion. Be assured that we do heartily join with you in every thing that has passed at this meeting and we shall Transmit everything that has been said with the greatest dispatch to the head Council of the six Nations and no Doubt you will hear soon from them of these matters.

Brother: As you have been appointed by the great man of Virginia to desire us to prevent our young people from hunting on your side of the Ohio as there are a great many of the White people setling there now which as you rightly Judge may occasion disturbances, we shall comply with. As you have given the Chair of Friendship to be kept by the Delawares we now recommend it to them to be strong and prevent all the young people from crossing to your side of the river.

A String to the Delawares to inforce this Recommendation.

Major Connolly then answared the Delawares as follows:

Bretheren the Delawares: It has given us great pleasure this day to hear such friendly sentiments from our good Bretheren and we make no doubt of a confirmation of Friendship in this Country and of your assistance in promoting it and you may be assured that the Belt which you have given me to be extended to the hands of our great and good King who as you rightly judge governs us all as one people shall be conveyed to him as expediciously as possible and I am convinced he will be highly satisfied with the Friendship his Bretheren the Delawares have so warmly expressed for him and there is no doubt that as he has a sincere love for all his white as well as his Indian Friends that he will exert himself to procure happiness to them one and all and as you have by that Belt acquainted him with the place of your intended residence you may shortly expect to hear from him in answer to your friendly speech.

A Large Belt.

Bretheren: With respect to what you mention about the Trade at this place we desire that you would advert to what we said to our Bretheren the Six Nations yesterday on this head and that is a matter that does more properly lay before our

Great Men We shall not fail to represent to them what you have said and we make no Doubt but they will consider the matter properly.

A String.

Keyashota then spoke as follows—

Bretheren: We are glad to hear the good speeches which we have before told you we shall forward them directly to the six Nations and you may look towards us for an answer from them in about two months.

A String of Black Wampum.

Bretheren: We have setled every thing now upon a good footing which gives great satisfaction. But one thing you seem to have forgot which is a little Powder lead for our young men to kill provisions on their Way home.

A String of the same sort.

Major Connolly told them he would consider them before he set off.

A Speech from the Committee of Augusta County on the West side of the Laurel Hill.

Bretheren: It has given us your Bretheren and near neighbours the greatest satisfaction to have heard and seen at this meeting the unhappy differences for some time past subsisting between some of your people and us happily Ended. We have heard what the officer directed by the Earl of Dunmore has said to you on the occasion and we flatter ourselves it will be sufficient to convince you that he means no other than to maintain that Tranquility which alone can make us both happy we now assure you that we shall on our parts take every measure and do every thing in our power to preserve and obtain these desirable Ends.

Bretheren: We consider you in the same Circumstances with ourselves—the great Creator of all things made us both a a free people and we are determined with all the powers he hath given us to preserve our Lives and Liberties and our property against every one who shall attempt to deprive us of them. Be assured Bretheren that we will also exert ourselves to maintain you in the undisturbed posession of your natural right and we

expect the same brotherly friendship from you by your not interfering in any of our disputes.

In Testimony of sincere dispositions and Intentions to cultivate a good understanding and a friendly intercourse with you our Bretheren we present you with this Belt.

A Belt.

JOHN CONNOLLY TO GEORGE ROOTES.*

Winchester, August 1st, 1775.

Jno. Connally to George Rootes, Richmond.

Dear Sir:

I yesterday arrived here from the Warm Springs,† to which place I intentionally conducted three Indians sent with me, to give them an opportunity of seeing as many Gentlemen of Virginia at that place & this season generally bring together. I have finished a treaty with the Shawanese, which I have also brought with me, & I flatter myself it will prove satisfactory to the Gentlemen of the Convention, at Richmond, as it has been particularly so, to the Inhabitants in our Country. You must well know Sir, from a finall retrospect upon the necessary business in which I have been for some considerable time past engaged, that I must have been exposed to considerable expense and that the men substituted [addition?] of a Militia officer [office?] in my Rank, could not be sufficient to have indemnified me, add to this consideration the trouble I have experienced from the Government of Pennsylvania & the necessity I was under of conducting the military affairs of this Government, during our late troubles, throughout the great extent of that remote part of Augusta; a due attention to which important business, caused me entirely to relinquish every other pursuit, & devote myself solely to the publick service.—I should have even blushed to mention any of these circumstances, did not I

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*George Rootes, son of Philip Rootes, of "Rosewall," King and Queen county, was member of the Convention of July, 1775, for (West) Augusta, and of that of December, 1775, for Fincastle.

† In the present Bath county.

find that the malice of my Enemies pushed them on to every vile step to prejudice my character, & depreciate the value of my publick services.

Pecuniary acknowledgment alone would be very unsatisfactory to my mind, did it not also bespeak the care of the Government which I have faithfully served, & must therefore silent effectually, the slanderous tongues of the ungenerous.

It has been diligently propagated thro' this Country that I, as a Ministerial Tool, would be extremely sollicitous to forward their designs; & should be ready to support every measure which Lord Dunmore might recommend to me, I have only to assure you that such insinuations are malicious, & far foreign to truth; & that no person would sooner shun an act, which must draw down upon Him the censure of His Countrymen than myself; & altho' gratitude, & honor call upon me to testify upon all occasions, the good offices which I experienced from His Excellency Lord Dunmore, yet you may be satisfied, that such impression should operate no farther upon me, than it ought to do, & that I justly distinguish between a ministerial officer, & a Friend, a Gentleman in a private character.

I have some business with, & a letter to the Honorable Payton Randolph, as well as a desire to see Jno. Randolph Esqr. & some other my acquaintance at Williamsburg, & must confess that I should also if agreeable, desire to see the Governor & I did not care under whatever restrictions was it judged necessary, I am &

Sir your most obed Servt.

JNO. CONNOLLY.

(TO BE CONTINUED.)

VIRGINIA MILITIA IN THE REVOLUTION.

(CONTINUED.)

1777.

Sep't 1. Shields, Capt. James, for wood furnished & Cart hire, P. Acco't, 1. 13. 6.

3. Short, Capt. William, for pay & rations of his Comp'y, Surry Militia, P. Acco't, 52. 14. 6.

4. Shephard, John, for Cooking for part of Capt. Elisha White's Militia Comp'y, P. Cert. —. 14. 6.

Short, Thomas, for Waggon hire & ferriages with Militia from Amelia, P. Acco't & Cert., 8. 17. 4.

5. Straughan, Reubin, for sundries furnished the Spotsylvania Militia, P. Acco't, 13. 7. 6.

9. Singleton, Christopher, for Waggon hire with the King William, Ditto, 11. 10. —.

10. Ditto, for additional pay P. order Governor & Council, 5. 15. —.

12. Smart, Elisha C., for Waggon hire with Buckingham Militia, P. Acco't, 11. 11. 8.

18. Staples, John, for maintenance of three of the Ditto on their march to Williamsburg, 2. 9. —.

Smith, Capt. John B., for pay & rations of his Comp'y of Prince Edward Militia, 146. 11. 1.

Starke, Capt. John, for pay Ditto, Ditto, 164. 13. 9.

19. Selden, Capt. Miles, for Ditto, Henrico Ditto, 158. 16. 1.

27. Street, Joseph, Ensign for diets, &c., furnished part of the Louisa Militia, P. Ditto, 1. 2. —.

Stark, Joseph, for pay & rations as Adjutant to the 4th Reg't of Militia, P. Acco't, 5. 2. 8.

29. Scott, Capt. John, for pay of his Comp'y of Orange Militia to 28 Inst. & 9 days to return, 211. 5. 3.

30. Ditto for Ditto, for one day detained P. Acco't, 8. 7. 5.

Oct'r 2. Simmonds, Capt. Benj'n, for Rations & provisions for his Comp'y Bruns'k Mil'a. P. Acco't, 43. 14. 8.

Ditto for pay of his Comp'y Ditto p Acco't, 237. 16. 4½.

3. Ditto for Cooking pay Ditto Ditto p Acc't, £8.

4. Southall, Cap't James, for pay of his Comp'y of Williamsburg Ditto p. Acco't 23. 15. 4.

13. Smith, John, for pay of self & sundry Workmen at Portsmouth P. Acco't, 210. 2. 9.

21. Short, Cap't Thomas, for pay &c. of his Comp'y of Amelia Militia P. Acco't, 41. 8. 9.

22. Short, Young, for diets furnished Buckingham Ditto P. Acco't 5. 12.—

22. Shelton, Abraham, for pay of sundry Persons P. Acco't, 23. —. 3.

30. Stephens, Cap't John, for pay of his Comp'y to July 6th last P. Acco't, 300. 14. 10.

Nov'r 4. Smith, John, for pay of self & sundry Workmen at Portsmouth P. Acco't, 135. —. 6.

5. Shelton, Capt. James, for pay &c., of his Compy. of Henry Militia P. Accot. 408. 12. 10.

Smith, Cap't John, for Ditto Northumberl'd Ditto P. Acco't, 14. 2. 8.

14. Stone, Elijah, for diets furnished Cap't Roger Thompsons Min't Comp'y (see Farrar), 2. 9. —

19. Stevens, Edward, for Hay furnished the Culpeper Militia P. Cer't, 3. 2. 1.

21. Scott, Cap't Walter, jun'r for pay of his Guard at the Magazine in Chesterfield P. Acco't, 258. 4. 2.

Decem'r 1. Shelby, Evan, for Guns and a Canoe on the Cherokee Expedition P. Acco't, 33. —. —.

Decemr. 1. Shelby, Capt. Isaac, for pay of Militia Provisions &c., at Fort Patk. Henry P. Accot. £4550. 11. 10.

5. Sale, Capt. John, for pay of a Soldier omitted in his pay roll 3. 12. —.

6. Sinclair, Alexander, for Salt, &c., furnished for Cherokee Exped'n, P. Acco't, 4. 5. 10.

8. Smith, John, Serg't, for pay of his Guard of Princess Anne Militia, P. Acco't, 3. 18. 5.

(TO BE CONTINUED.)

VIRGINIA GLEANINGS IN ENGLAND.

Communicated by Mr. LOTHROP WITHINGTON, 30 Little Russell street, W. C., London (including "Gleanings" by Mr. H. F. WATERS, not before printed.)

(CONTINUED)

LEWIS PHILLIPS of Town and County of Huntingdon, Gent. Will 24 August 1668; proved 3 March 1669–70. To be buried in parish church at Brampton under the stone where Alice the first wife of my deceased brother John Phillips was buried in 1640. Ty my Kinsman and godson Lewis Phillips, son of my nephew John Phillips eldest son of my eldest brother John Phillips who was slain in the service of that Holy King and Martyr Charles the First, my lands in Brampton and to his heirs for ever, failing to my nephew Thomas Phillips, failing him to my cousin Albion Throckmorton, failing him to the right heirs of me the said Lewis Phillips, whoever gets to pay every year for ever four or five days before the feast of St. Thomas the Apostle, being the Annual day of my birth and of my late dear wife's decease, to the Churchwardens and overseers of the poor 30s. To my sister Patchenson £5. To her daughter Dowse £3. To her husband 40s., and to each child of theirs living 40s. To my sister Margarett Phillips, the widow of my Brother John Phillips, 40s. To my niece Alice Brownsmith £5, to her husband 40s., and to every child of hers living 40s. To my sister Dann, formerly the wife of my Brother Henry Phillips, 40s. and to her daughter Hester Phillips £5. To my Nephew John Phillips £5; to his now wife 40s. To Judith Phillips, widow of my nephew Charles Phillips, £10. To my old friend Mr. John Tryme of Wisbeech 40s., and to his wife 20s. To my cousin Dorrington 40s. and all my billet wood that shall be left; and the other wood to my Landlord. To my old servant Robert Browne 20s., to his wife 10s., to his son 10s., and to his daughter Sarah 10s. To my godson Lewis Alcocke £5. To my godson Lewis Barton 5s. To my godson Lewis Throche, being

fatherless and motherless, £10. To my godson Phillips Bludwick £5 and two silver spoons his mother hath of mine. To my late servant Mr. James King £5 and my old gray nag, or other horse I die possessed of, with Saddle, Saddle cloth, and bridle, and I desire him to assist my executor. To my cousin John Brownsall £5. To my sister Alice Throckmorton £20. To my Brother Gabrieli Throckmorton in Ireland, his wife, and children £10. To my Brother Edwyn Sandys of Wilburton, Isle of Ely, 40s. To my aforesoid cousin Albion Throckmorton £20. To my cousin Robert Throckmorton £10. To my cousin John Throckmorton in Virginia £5. To my cousin Mr. Henry Reede and his wife £5, and 40s. to every child living at my decease. To my cousin Cadwallader Powell £10, and to his sister Mary £10. To my cousin John Jackson and his wife £5. To Mrs Jane Rous, Kinswoman and god-daughter to my wife, 40s. To my cousin Anne Bowes, wife of Henry Bowes my least silver Cuppe. To my Landlord Bludwick 20s. with all the shelves, hangings, curtains, and tables in my Study, and in my outward Chamber, except the great Presse of Pistols, Coates of Armes, and pewter Scoterne, Bookes, and writings, and the Keye and Desk. The Great Armes, Rushy Chayres and 12 of the best other chairs to my godson Lewis Phillips; the rest of my chairs to my said landlord, as well as other furniture in James's chamber. To my Landladie Mrs. Bludwick 20s. and all the goods of mine she has in her custody. The use of the Tankard shall be for the Clubbe as long as it shall continue. To my landlord's sons Richard and William Bludwick 10s., and every servant dwelling with them at my decease 5s. Whereas to secure a debt I paid £80 for a copyhold (the said debt being due to Mr. Edward Bedell Esq.) from one Fox, bought in the names of my cousin Robert Eusam deceased and my aforesaid Cousin Robert Throckmorton, besides other charges and a letter of Attorney from Mr. Ravenscrofte, the said copyhold being in Alconbury Weston, the said Mr. Edward Bedell to pay all charges, besides the £80 to my godson Lewis Phillips, before it is released to him. To the poor of Huntingdon £5. To the Poor of Backden 40s. To my cousin Mr. Lynson Gunton, Clerk, or Mr. Samuell Eynsworth, 40s. to preach my funeral sermon. Rest to my godson Lewis Phillips. To Mr.

Halley, guardian and executor, £10. My godson Lewis Phillips to go to Wisbesch School to my old master Trisney, or his son who is to have the school after him, then, if capable, to Cambridge University for Master of Arts; if not capable, to be clerk to an Attorney, where my study will benefit him; if capable of neither, to be put to some Trade. Witnesses: John Nagus, Will: Jeay, Ben: Sheppeard, Samuel Backler.

Penn, 39.

[Alice, sister of the testator, married Robert Throckmorton, Esq., of Ellington, Huntingdonshire, and was the mother of John Throckmorton who settled in Virginia, see this Magazine XIII, 195.—ED]

EDWARD IRBIE, Citizen and Grocer of London. Will 27 February 1616–17; proved 24 March 1616–17. To my wife Catherine all my lands in London or elsewhere in England for life, then as follows: To my son Edward house in the Minories without Aldgate of London, now in tenure of Marthias Rutton, gent., two houses in the parish of St. Michael upon Cornhill, one in tenure of Richard Pope, merchant, and the other my dwelling house and shop. The rest of my houses, etc., to my son John. To my son Edwarde £20 a year when he is 21. To my son John £20 a year when 21. Such annuities and houses to be in satisfaction of their parts, according to the custom of the Citie. If my son Edwarde agrees, he to have the property known by the sign of the Horne in Southwark, County Surrey, now in tenure of William Stubbes, white baker, and Richard Hynde, Salter, To my daughter Anne my house in St. Saviours Southwarke held by indenture, given me by one Mr. Riche of Horneden Esqr deceased, and £250. To my daughter Winifred my house near Holborn, held by indenture from Mrs. Pype, and £200. To my daughter Catherine house in Bond Alley, East Smithfield, in tenure of Water Davies, Brewer, and one in Minories als Hounsditch, in tenure of Hugh Bell, sometime in occupation of Mrs. Evans, a poor almswoman (who paid no duty, but I gave Mr. Francke £20) and £200. To my said son John £50 toward Placing him. To Mr. Doctor Archbold 10s. To the Curate of the parish church 10s., upon condition he shall let my wife choose the Preacher for my funeral sermon. To the Clark of said Parish 6s. 8d. To the Sexton 5s. To

the Children of Christ's Hospital, for their paines to attend my body to the grave, £3. To the poor, in twopenny doles, £5, the Beadles to be paid out of same. To my Brother in law Rafe Yardlie and his wife £5. To my Brother in law Richard Hine and his wife £5. To my Brother Yardlie's two children 40s. apiece. To my brother Hine's Father 40s. To relieving three poore prisoners out of Ludgate and the other two Compters of London £3. To my wife and children mourning for them all. A Running Banquette to be held to entertain my friends and neighbors who follow my bodie. My Executors to pay to my Brother in lawe George Yardlie, now in Virginia, £40, so that he ratifies an indenture made by me and his Brother Rafe. Executrix: my wife Catherine. Overseers: Uncle George Sayre and Nicholas Reeve. Witnesses: Nicholas Reeve, Scr., William Manley, servant to the said Scrivener, Thomas Taylor, Edward Pierce, servant to said Scrivener.

Weldon, 134.

[Edward Irbie married Ann, sister of Sir George Yeardley, Governor of Virginia. See Brown's *Genesis*, II, 1065. Mr. Brown states positively that Sir George was a son of Ralph Yeardley, citizen and merchant-taylor of London. Mr. T. T. Upshur in his *Sir George Yeardley* (Nashville, 1896), says that the Governor was son of William Yeardley, of Yeardley, Staffordshire, but gives no details of proof. From the various references which occur in contemporary writings it is almost certain that Sir George was a son of the merchant-taylor.—ED.]

STEPHEN FOX Att Sea. Lattitude 24 degrees. 7^{br} ye 9th 1662. Aboard ye Restauracion. Loveinge Brother. These Certifie you we sett sayle from New England the 5th August, encountered two storms, lost our mastes, thrown overboard fish and mickrell and pipestaves & 3 horses drowned, one of which was betwixt your selfe and my brother Thomas soe that yow have lost all, as well as my Brother Thomas and myselfe and Peter. I knowe not whether I have saved any thing or noe till I come to some Port & I hope yow paid the £3. 3s. I charged to yow from Deale. I have sent 50 or 60 or 70 cwt of Tobacco in one Captain Thomas Carter's hands at Nuncemund in Jeames River. I had a servant run away in Virginia, that makes mee not knowe what Quantitie of Tobbacco is in Captaine Carter's hands. Lett my Brother Peter, my sister Mary, and My

Brother William have it. Captain Jno. Whitty, who uses Virginia, knowes the man, and will bring it home, which will be £70 or £80 apiece, and £70 or £80 amongst you all for mourninge. I am in hast the shipp being under saile. Your loveing Brother Stephen Fox. Administration 20 October 1663. to Brother John Fox.

Juxon, 119.

[Captain Thomas Carter, of Nancemond, was doubtless the person of the name who lived afterwards in Lancaster.—ED.]

JOHN CHEESEMAN of St. Mary Magdalen, Bermondsey, county Surrey, gent. Will— December 1663; proved 2 May 1665. My Property held of Hellen Norwood, Norcourt, or Norcote, in Southall, Eling als Zeling, old Brentford, and new Brentford, County Middlesex, all these to my wife Margarett, she to bring up my and her grandchild Anna Cheeseman till marriage or till of age 24 June 1670, after her death to said Anna, and failing her, to my brother Edmond Cheeseman, then to his two sons Edmond and Thomas, these to pay to their sisters £200 apiece. My Property at Braban in County Kent to the heirs of my deceased nephew Thomas Cheeseman, my eldest Brother's son. All my lands in County Gloucester in Virginia to my said Grandchild Anna, and failing issue, to nephews Edmond and Thomas aforesaid. The lease of my dwelling house after wife's death to my deceased nephew Thomas's son Thomas. To Elizabeth Byme, widow, 20s. a year. To my maid servant Ellinor Harvill £10, and to her sister Elizabeth Harvill 20s. a year for 6 years. To the poor of St. Mary Magdalen £10. To the Poor widowes of Redriffe £5. Rest to my wife Margaret, unless she marry again, then to Grandchild Anna. Executrix: Wife Margaret. Overseers and executors in trust: Mr. James Betts of London, Grocer, Mr. Robert Skrine, Citizen and Iremonger, Mr. John Harrison of Stepney, Mariner, and Mr. William Turner. Witnesses: Rich: Childe, Jonathan Monday, Lewis Andrews.

Hyde, 46.

[John Chisman, or Cheesman, came to Virginia in 1621, was in 1624 living in Elizabeth City and was aged 27. He was then a lieutenant in the militia. He subsequently removed to York county, where he was

a commissioner (justice) in 1633, &c., was a member of the House of Burgesses 1642-3, and appointed to the council in 1652. He returned to England in or before 1661. His brother Edmund Chisman, who was living at Elizabeth City in 1624, aged 22, also settled in York county, where his will was proved Feb. 4, 1678. His son Edmund Chisman, Jr., was arrested for taking part in Bacon's Rebellion, and died in prison. See *William and Mary Quarterly*, I, 89-98. The will of Mrs. Margaret Cheesman, widow of Col. John, the testator above, was printed in *Waters' Gleanings*, I, 691. Berry's *Heraldry* gives the arms of Cheesman of Kent.—ED.]

ROBERT GOSNOLD of Earleshall, County Suffolk, Esq. Will 15 August 1615; proved 1 November 1615. To be buried at Oteley, near my wife. To Elizabeth Keene, my daughter, the wife of Thomas Keene, £8 a year. To my son Anthony Gosnold my house in Swillon called Eales. To my son Thomas Gosnold £200. To my grandson Robert Gosnold all moveable goods in the house at Otely, with the horse mill, brewing house, Dayrie goods, etc. To Anthony Gosnold, my grandchild, nowe in Virginia, £100, if he shall return within one year after my decease. To Henry Keene my grandchild £20. To Thomas Keene my grandchild £20. To my son John Gosnold £500 which he owes me for buying his office at the Court. To John Joanes my house in Otely in occupation of Francis Butterhall. To Anthony my son a piece of ground in Otely nowe in lease to Daniel Walton. To my executors, towards the performance of this will, lands I bought of my son John Gosnold, unless he pay then £400. Executors: Son Anthony and Mr. Francis Cornwallis of Earleshall. Witnesses: Robert Gosnold, John Cornwaleys, Francis Fowkes, Robert Grimble, Richard Webster.

Rudd, 101.

[Anthony Gosnold, "the younger," was a member of the Virginia Company. Two persons named Anthony Gosnold, doubtless father and son, went with the first planters to Virginia. Brown says (*Genesis*, II, 904), that the younger Anthony went to Virginia in the first expedition with his father and uncle—Bartholomew Gosnold must have been meant as the uncle. But a "Master Anthony Gosnol" was drowned in Virginia, Jan. 7, 1609. Therefore the son Anthony, to whom a bequest was made in 1615, could not have been the one who went to Virginia in 1606-7.—ED.]

[Mr. Lea included this will in his Gosnold notes printed in

the *New England Historical and Genealogical Register*, Vol. lvi, p. 405, (October, 1902), but by some extraordinary slip he missed the reference to the grandson in Virginia. I hope this will help in his search for the great Bartholomew, the patriarch of all Massachusetts pioneers.—L. W.]

CHRISTIAN WILHELME, of St. Olave's Southwarke Surrey, Gally-pot-maker. Will 8 March 1629–30; proved 9 April 1630. To the Poor of St. Olave's £5. To my wife Alkin all the leases, goods, etc., I had with her when shee and I were first married. To Christian my son one half of the lands in the Pallatinate beyond the Seas, the other half to Mary my daughter wife of Thomas Townsend. To my son Christian £200. "Whereas I am a great adventurer to Virginia and other parts beyond the seas and have a great stocke with Sir John Harvie Knight and other company touching sope-ashes and pott-ashes," etc., the profits to be divided equally between my son Christian and son-in-law Thomas Townsend. As my son Christian is now beyond the seas my son-in-law Stephen Poore to be attorney, he to have 40s. in every £100. To my wife's son John Townsend £5, and his daughter Marie £20. Residuary Legatee and Executors: Thomas and Mary Townsend. Overseers: Mr. Timothius ——, clarke, Stephen Poore. Witnesses: John Freebody Scr., Alex. Mouce, Stephen Poore, Ursula Arnold.

Scroope, 39.

WILLIAM POPPLETON. Will 9 April 1632; proved 6 July 1632. To poor of parish of St. Giles Cripplegate, London, 6s. 8d. All the rest of my lands etc. in Virginia as well as elsewhere to William Thorowgood, gent, Richard Buffington, and Will'm Emerson, whom I make executors. Witnesses: Edward Fuller, Clerke, Edw. Cater, Henry Guly.

Audley, 81.

THOMAS MALLORY, D. D. [Printed in full in this Magazine XII, 401.]

Bunce, 74.

BENONY EATON of St. Mary Magdalen, Bermondsey. Will 1 June 1675; proven 31 May 1677. My estates in Virginia and

England to be sold, and one-half to my children Ruth and James Eaton and the child my wife now goeth with when 21 or day of marriage, or survivors; if they die, one half of their portion to my relations, and the other half to my wife Deborah. The other half of my estate to my wife Deborah Eaton; and a house in Great Yarmouth given me by my father to go to my children. To my mother Dinah Eaton £5. To my Mother Deborah Buckwell 40s. To my mother Sarah Slaughter 40s. To my Brother John Eaton 40s. To my first wife's daughter Mary Wilmore 40s. Executrix: Wife Deborah Eaton. Overseers: Mr. Thomas Peacock of Buttolph Wharf, London, Wharfinger. Mr. William Laite, Senior, of the Same, Cheesemonger, Mr. James Buckwell of St. Mary Magdalen, Bermondsey, Surrey, Shipwright, and my Brother Joseph Eaton of St. Mary Magdalen, Surrey, Mariner. Witnesses: Samnel Bosworth, Bartholomew Hopkins, John Fuller, Scr.

Hale, 47.

HISTORICAL AND GENEALOGICAL NOTES AND QUERIES.

A Duel in Petersburg 1786.

"On Sunday morning a Duel was fought near this town, between Dr. S—— and Col. J. J——. On the first discharge, Dr. S—— received a ball in the right arm. After discharging nine shots, the Seconds interfered, which terminated the affair in an amicable and honorable manner.

(From The *Virginia Gazette and Petersburg Intelligencer*, Petersburg Sept. 28, 1786).

[The parties to the duel were Col. Joseph Jones, and, probably, Dr. John Shore.]

Morgan.

Columbus, Ga., February 26th, 1904.

Below you will find a record of Benjamin Morgan, taken from the monument over his grave, and desiring to verify his being a Soldier of the Revolution, I will appreciate your advising if your records show anything bearing on this man's service.

"In Memory
of
Benj. Morgan Born Oct 10th, 1762.
Died Sept 29th, 1841.
Was a native of Virginia
A Solder of the Revolution.
Firm in the defence of liberty
a constant friend to the honest poor.
He married Elizabeth Kemper of Fauquir County, Va.,
in 1782. They emigrated to S. C. in 1805,
where she died in 1821."

You may have some record of the Kemper's of Fauquier County being in the Revolutionary Army, if so will be obliged for any information you can give me.

L. A. CAMP.

CUMBERLAND COUNTY.—Organization May 22, 1749. The justices were George Carrington, Thomas Turpin, Nicholas Davies, Wade Netherland, Alexander Trent, Archibald Cary, Creed Haskins, James Terry, Benjamin Harris and William Bernard, gentlemen.

George Nicholas produced a commission from Thomas Nelson, Esq., deputy secretary of the colony appointing him clerk of the county.

John Woodson, Bowker Smith and Thomas Bedford also qualified as justices.

Stephen Bedford qualified as sheriff and George Carrington as surveyor of the county.

Nov. 27, 1749, Stephen Hughes, brother and heir at law of Ashford Hughes, deceased, affirmed (he being a Quaker) and was granted administration on the estate of the said Ashford Hughes.

ORDER OF CHESTERFIELD COUNTY COURT AS TO FEES.

At a Court held for Chesterfield county, June 3, 1774.

PRESENT:

Arch. Cary,	John Archer,
Joseph Bass,	Thos. Wooldridge,
Benj. Branch,	Robt. Goode,
Francis Goode,	Jacob Ashhurst,
David Holt,	John Bott,
	Geo. Clemer, Justices.

Whereas the act of the General Assembly for better regulating and Collecting certain Officers Fees and other purposes therein Mentioned made in the Nineteenth year of his late Majesty's Reign and the Act made in the twelfth Year of his present Majesty's reign for further continuing and amending the said Act, did expire on the twelfth day of

April last. And Whereas the Right to establish Fees or Taxes to be paid by the people to the Several officers or Ministers whose offices do any way concern the Administration or Execution of Justice within this Colony is peculiar and essential to the Legislative authority and cannot be exercised legally by this or any other Court. It is the unanimous opinion of this Court that they have not any power to order the Fees formerly settled by the said Expired Acts to be Charged or allowed for any Services performed or to be performed by the Officers of this Court since the Expiration of the said Acts. And they do order that no such Fees be taxed to the Judgments or Decrees of this Court or inserted in the Executions sued out thereupon until the General Assembly shall reenact and allow such Fees. [At the session of Oct., 1777, an act was passed reviving the fee-bill referred to].

WILLOUGHBY.—Letter from Samuel Mathews to the Court of Lower Norfolk County, recorded June, 1650.

You will take notice that Thomas Willoughby by his last will has appointed his son Thomas Willoughby his sole administrator, not to act without approbation of said Mathews until son was 21 years of age.

Speaks of Thos. Willoughby, Jr., as being very young for the charge. Letter dated April 20, 1650.—*Lower Norfolk Records.*

GOODRICH.—June 17, 1652, certificate from court of Lower Norfolk to Thomas Goodrich, gent, of the importation of himself, Anne his wife, seven negroes and four other persons.—*Lower Norfolk Records.*

MILITIA OFFICERS OF POWHATAN COUNTY, 1777-1778.

July 17, 1777. William Fleming, Esq, recommended as Lieutenant of the County [his commission signed by Patrick Henry still exists], Littlebury Mosby as Colonel, John Harris as Lieutenant Colonel and Edward Haskins as Major.

August 21, 1777. The above named officers produced their commissions and qualified by taking the oaths.

Thomas Harris and William Mayo qualified as captains, Poindexter Mosby, and Thomas Haskins as captains. George Williams and John Moseley recommended as lieutenants, John Povall as ensign, Thomas Stegar as 1st lt., Joseph Mayo as 2d lt., Robt. Smith as ensign, Josiah Turpin and Edward Munford as lieutenants and Triplett Merriott as ensign in captain Poindexter Mosby's company. Isaac Porter and George Smith as lieutenants and George Stovall Smith as ensign in Captain Thomas Harris' company: Richard Crump as captain, Edmund Vaughan as 1st lt., James Drake as 2d lt., and Samuel Hyde Saunders as ensign in the company formerly commanded by captain William Gay, resigned.

Robert Hughes as captain, John Swan as 1st lt., Edmund Logwood as 2d lt., and Wm. Poor as ensign.

Dec. 18, 1777. William Poor recommended as 1st lt., Hans Stegar as 2d lt., and David Hughes as ensign. William Poor qualified.

March 19, 1778. John Moseley qualified as lieutenant.

May 21, 1778. George Smith as lieutenant, Isaac Porter as lieutenant Edward Munford as captain, Benjamin Moseley as lieutenant—qualified.

Vincent Markhan recommended as 1st lt., in Munford's company, and Edward Cox as lt., in Crump's company, and Markhan qualified.

George Williams recommended as captain in the room of Thomas Harris, John Moseley, Jr., as 1st lt., in the room of George Williams, John Povall as 2d lt., in the room of Moseley, and Gideon Crockett as ensign in the room of Povall.—*Records of Powhatan County.*

CURTIS FAMILY.

Recently I have been interested in tracing the family of Col. Rice Curtis, Burgess for Spotsylvania county, during the XXXII and XXXIII Assemblies and possibly the XXXIV.

I read in the "Va. Mag. of Hist. and Biog.," Vols. V, p. 344 and XIII, 59-62, the notice of Maj. Thomas Curtis, the emigrant, and therefore send you some notes I took about thirty years ago.

Col. Robert Curtis, of Gloucester county, Va., who died some sixty-five years ago, had a MS, giving his direct descent from Maj. Curtis. Col. Curtis's brother-in-law, the late Maj. John Henry Fitzhugh, of Austin, Texas, had a copy of this MS. The time I saw it, it was mutilated and so badly damaged by water that only the first page could be deciphered.

The paper showed that Major Thomas Curtis had five sons and two daughters as follows: Children of Maj. Thomas Curtis, of Gloucester county, Va., and Avarilla his wife.

1. —— Curtis who m——; 2. Giles Curtis who married Mary ——; 3. Charles Curtis who married R——; 4. James Curtis who married Eliz——; 5. —— Curtis who married M——; 6. Avarilla Curtis who married Ro—— Bri——; 7. Sarah Curtis who married 1st——, and who married 2nd Richard Perr——.

Giles[2], Charles[2] and James[2] moved to Middlesex county.

Giles[2] Curtis had sons, Rice[3] and James[3] and a daughter Jane[3].

Charles[2] had a son James and a daughter Avarilla[3]. James had sons, Thomas[3] and James[3] and a daughter Agatha.

I could make nothing more of this paper, it was so faded and blotted by water stains. Major Fitzhugh, who was born and raised in Middlesex county, Va., told me that he had made this copy of Col. Curtis' MS when he (Fitzhugh) was a young man and did not remember its contents.

W. W. FONTAINE,
Galveston, Texas.

Dawson Family.

Editors Virginia Magazine:

Three names in the Census of Gloucester county attract my attention: Leonard, Thomas and James Dawson.

I am anxious to find the ancestors of a James Dawson, of Virginia, place of residence unknown until 1808. The birth of one of his children is recorded as at Lynchburg, Va., 1808.

Having reason to hope that the father of James, of the inclosed list, is one of the persons whose names appear in the Census, I will be greatly favored if you will insert this in your Query Column, or shall be greatly indebted for a reply from your Genealogist, identifying the two: *James Dawson*, born in Virginia, October 11, 1781; wife, Phebe Walker, born in Virginia, April 20, 1788.

Children: Walker, Lucretia, *John Dabney*, born December 27, 1808, Lynchburg, Va.; Josephine, born October 22, 1810; Joel Watkins, James Wade, Susan, Rhoda, Mary Eliza.

The family moved to Danville, Kentucky, 1812 or 1814, where Josephine Dawson married William H. Strong, June 7, 1832; issue, nine children.

James William Strong married Eliza Jane Hedenburg, June 24, 1856, whose descendants are trying to find their Virginia ancestors on their Dawson line. Any information very gatefully eceived in the Query Column of Virginia Magazine. R. M. B.

Stone Family.—Rev. E. A. Stone, D. D., 1014 Madison street, La Porte, Indiana, has arranged, from legal evidences, a genealogical chart of the descendants of Governor William Stone, of Maryland, down to 1800. Thos interested should correspond with Dr. Stone.

Michael Musgrave's Will.

In the name of God. Amen. I, Michael Musgrave, of the Parish of Pienketank, on the River Rappahannock, in the county of Middlesex, Virginia, being in very good health, perfect memory and understanding, praised be to Almighty God for the same, considering with myself the frailty of human life, and that all flesh must yield to death, but the time thereof being very uncertain, do thereof, whilst I do continue in my perfect memory and understanding and to avoid controversy that may otherwise after my decease arise, constitute, ordain and appoint these parties to be my true last will and testament in manner and form following, viz.:

Imprimis. I recommend my soul into the hands of Almighty God, my Saviour and Redeemer, and He who created me and all mankind. Hoping through the alone merits and mediations of Jesus Christ my

alone Saviour and Redeemer to be raised at the General Day of Resurrection and to be received into His heavenly mansion where there is fullness of joy and bliss forever. Amen.

As to my worldly estate I dispose of it as follows, viz.: I doe order and appoint that my just debts be first paid and satisfied, and if there be any overplus, do give and bequeath the same unto my daughter, Elizabeth Musgrave, who troubles me to think of what poor condition she is here in England, leaving her here in the city of London, in the house of John Holmes, Plumstreet Court, near Holbourne Ridge, in the Parish of St. Andrew, there to be nursed, taught, and brought up, and I shall while I am in the present world, use my utmost diligence in maintaining my aforesaid child whilst I have life, and in case I dye whilst going over the sea to Virginia or doe otherwise that well I desire my aforesaid daughter, Elizabeth Musgrave, may be possessed with all my worldly estate, both real and personal, both in Virginia and elsewhere, after all my aforesaid lawful debts are fully satisfied, being able to do little more for her in this present world, leaving her to the care and protection of that God with whom I shall shortly be.

And, lastly, I doe make, so constitute and ordain, and appoint my dear and loving brother, Mr. Thomas Musgrave, minister of Woolbed, in the county of Sussex, near the towne of Midhurst, and my well beloved friend, Mr. Will Newbon, Grocer, situated in the Parish of St. Giles, Cripplegate, full and sole executors of this my last will and testament, not doubting in the least but that having been so extraordinarily kind to me and mine whilst living they will not prove otherwise to my dear child after my decease. And further I do annul, frustrate and make void all former wills made by me, either by writing or by word of mouth, and doe pronounce and declare these presents to be my only last will and testament. In witness whereof, I have hereunto set my hand and seal this one and twenty day of December, one thousand six hundred and ninety-seven. (?) one thousand six hundred and seventy-nine.

MICHAEL MUSGROVE.

Signed, sealed, published and declared by the said Michael Musgrave, in the presence of us,

EDMOND TIBBY,
MICHAEL PIEMAN,
SAMUEL TIBBY.

(26th Jan., 1695.) Proved 26th Jan., 1697, by Thomas Musgrave, one of the executors named in the will, power reserved to make a like grant to Will Newton, &c. (15 Lort.)

(See Va. Magazine, XII, 207, &c.)

MANOR HOUSE OF LARK STOKE.

From a Photograph.

GENEALOGY.

THE BRENT FAMILY.

Complied by W. B. CHILTON, Washington, D. C.

(CONTINUED.)

STOKE AND ADMINGTON.

It is stated in the Brent genealogy and borne out by the memorial tablet in Illmington Church,* and by other evidence, that Robert Brent, son of Robert Brent of Cossington by Margaret, came to Stoke near Camden in Gloucestershire about the year 1487 and lived concealed under the name of John Buston. The reason for concealment can be only conjectured but was probably political. The battle of Bosworth field had been fought only two years before, and England for a long time had been rent by internal dissentions. However, there were various reason for changing names then as at the present time. Fuller in his "Worthies" mentions some of them as follows:

Fuller's Worthies, Vol. I, p. 70.

Altering Surnames—Reasons for—

1. Concealment in time of civil wars.

2. For Advancement, when adopted into an estate.

Whatever the reason in this case for concealment, there was evidently

*That the Brents of Gloucestershire and Warwickshire were descended from the Somersetshire family is clearly indicated in several ways, but the Woodstock genealogy is the authority for the statement that the ancestor who came from Somerset in 1487 or thereabouts was named Robert, that he was the son of Robert and Margaret, and the brother of John Brent who married Maud Poncefoot. The will of this John Brent does not mention a brother Robert nor does his father's will mention a son Robert. Collinson does not refer to this son Robert, but he does not give all of the descendants, as may be seen in the case of the will of John Brent, above mentioned. A note to the Oxfordshire pedigree indicates the connection between Sir Nathaniel Brent and the Cossington family, which is corroborated by his published biography, and his father, Ancar Brent is shown by the wills of William Brent and his brother Nicholas to have been their cousin, though in what degree it does not appear. The dates of their deaths are not inconsistent with the account given in the Woodstock genealogy. There are some discrepancies, however, which indicate that the Woodstock genealogy is an independent account, perhaps derived from more ancient sources, and that its author was not acquainted with the Illmington inscription. Anthony A. Wood, the historian of Oxford University, states that Sir Nathaniel Brent was the son of Anchor [Ancar] Brent of Little Woolford in Warwickshire, a younger son of Richard Brent, gentleman, eldest son of John Brent of the house of Cossington in Somersetshire. He also mentions a William Brent, whose great grandfather, William Brent, of Stoke Lark, in Gloucestershire, was younger brother to Richard Brent, grandfather to Sir Nathaniel Brent. The William Brent first mentioned above was evidently the son of Richard Brent and Elizabeth Reed.

no stigma at taching to the act, as the name of Brent was soon resumed and the family acquired large estates of which they remained in undisturbed possession for many generations.

The place of burial of this family was in the church at Illmington in Warwickshire, where a memorial tablet in brass gives an account of their marriages and deaths, of which the following is a transcript:

The Brents of Stoke have had a place of burial here since the coming of their ancestor out of Somersetshire about the year 1487 by the concealed name of John Buston, who married Margery, daughter of George Colchester, then of Stoke and Admington, Esq., about the year 1498 and died 1531.

Their son William Brent Lord of Stoke and Admington dyed 1595 with Elizabeth his wife here buried. Their son Richard Brent married Mary daughter of John Huggeford and Katherine Hennage his wife, 1572, and died 1587. Here buried. Their son Richard Brent maried Elizabeth daughter of Giles Reed Esquire & Katherine Grevill his wife Anno 1594 and dyed 1652. He was here buried but his wife at Bredon with her father. Their son Richard Brent married Margaret daughter of Sir John Peshall Baronet and Anne Sheldon his wife Ano 1622. Four of whose children (viz) Frances, Mary, Elizabeth, and Giles lye here buried Anno 1657. The sd. Margaret Brent died June 20th, 1666. Here buried.

Cui familiae propicetur Deus. Tempus edax rerum periunt et nomina Saxa. Omnia Mors poscit Lex est, non paena, perire.*

Silentio et diligentia. Silentio et diligentia.

The Brent memorial brass in the North Transept of the church of St. Mary, Illmington, Warwks. contains the inscription copied above. The two figures of Griffins in shield with motto indicated above are placed over the brass.

(Sd) N. J. WARNER,
Rector of Illmington.

July 2, 1903.

Illmington is eight miles from Stratford, and lies on the hillside overlooking the vale of the Red Horse.

The church consists of a nave, western tower, north and south transepts, and a chancel with a small vestry on the north side. A considerable portion of the church appears to be of the Norman period, including part of the tower, the south doorway, some of the north wall of the nave, and the chancel arch. Most of the windows of the chancel,

*To what family is God propitious. Time is the devourer of all things. Both the names and the monuments will perish. Death includes all. It is the law, not a punishment to die.

These lines, except the first sentence, are quoted from Seneca.

ILMINGTON CHURCH.

From a Photograph.

and also a priest's doorway on the south side are of early English date. The church was considerably restored about 1840. Upon the walls and floor may be noticed monuments to the Brents, Cannings, Overburys and Palmers. Richard Palmer married the daughter of that family of Borton, one of whom was the famous Sir Thomas who fell a victim to the malice of the Countess of Essex in the time of James I.*

Lark Stoke in Gloucestershire is four miles north-east of Chipping Campden. Admington is six miles north-east of the same place and two miles from Lark Stoke.

This region at the junction of Warwickshire, Gloucestershire and Worcestershire is of peculiar interest in many ways. It is the Shakespeare neighborhood; Stratford is not far away. Warwick Castle, Charlecote, the home of the Lucy's, and the forest of Arden are within easy distance, and many of the local and family names are connected either directly or indirectly with the memory of the poet.

Many of the old Catholic families were located here, and in some of the villages the old faith was never entirely extinguished, despite the most stringent penal laws and political and other disabilities imposed upon recusants, and not removed until the beginning of the last century.

Admington and Lark Stoke are described by Samuel Rudder in his "New History of Gloucestershire" (1779). Under the head of Queinton he gives the following account:

Robert Marmion who in the time of Henry III held one of the manors of Queinton "took away the abbey of Polesworth from the nuns of that place and drove them to Oldbury. But when Marmion was in bed at Tamworth," says the legendary story about that matter, "Saint Edyth to whom the abbey was dedicated, appeared to him with her crozier and told him that unless he restored the abbey to the nuns, he should have an evil death and go to hell; and then striking him on the side with the crozier, vanished. Upon which under great anxiety, he confessed to a priest, restored the abbey immediately and was well." * *

QUEINTON.

Hamlets.—There are six hamlets in this parish.

3. Adminton, or Adderminton, or more antiently Edelminton. Among the lands belonging to the abbey of Winchcomb, in *Domesday Book*, are the following particulars:

"The same church (Winchcomb) holds Edelmintone in Celflede hundred. There are three hides and a half. In demean are two plow-tillages and thirteen villeins with six plow tillages. There are four servi and two ancilæ. It was worth 4£ now 3£. *Domesday Book*, p. 71.

The abbey purchased a charter of free warren in Adelminston 35 Henry III, which privilege was allowed in a writ of *quo warranto* 15

*Shakespeare's Homeland, by W. Salt Brassington, F. S. A., 1903.

Edward I. The abbot of Winchcombe assigned this manor to the abbey of St. Ebroulf in Normandy, 12 Edward II, but it reverted to the monks of Wichcombe, who were the proprietors of this manor till their house was dissolved. Tithes in Adelminton, which belonged to that abbey, were granted to Sir Thomas Seimour, 1 Edward VI. The manor and chapel of Adminton, and lands called Wind-Cerney, &c., formerly belonging to the abbey of Winchcombe, were granted to William Brent, alias Burston, 7 Edward VI (1554). Earl Brooke is the present Lord of this manor and has a large house here.

John Witchurch granted ten librats of land in Adelminton to the abbey of Evesham 6 Edward II.

Lark Stoke.

This place is a hamlet in the parish of Ilmington, or Illmington, in Warwickshire, but the hamlet itself is in Gloucestershire. It is mentioned as a distinct manor in the ancient survey, of which the following is a translation:

"The same church (St. Mary of Evesham) holds Stoch in Widelei hundred. There are two hides and one plow-tillage in demean, and seven villeins and two bordars with two plow tillages. There is one servus. It is and was worth 40s." *Domesday Book*, p. 72.

The manor anciently belonged to the family of Bishopstones. John de Bishopsdon died seized of Lark Stoke with free warren therein, 13 Edward II (1307). Sir William Bishopston levied a fine of this manor to the use of divers persons for life the remainder to himself and the heirs of his body by Philippa his wife, 11 Henry 7th (1494). John de Vall was seized of Lands in Lark Stoke and Queinton 36, Edward III (1363). This estate was afterwards in possession of the Brents who were seized of it when Sir Robert Atkyns compiled his account of Gloucestershire, in which he has fallen into several mistakes concerning it and has placed the abstract from *Domesday Book* under Stoke Archer in the parish of Cleeve. Larke Stoke has been lately purchased by John Hart, Esq., who is the present Lord of the manor and proprietor of a fine estate there.

The manor house of the Brents at Lark Stoke is still in existence. It is a large stone house of massive construction and is said to date from the time of James I or perhaps a little later.

Upon an archway near the house may still be seen carved in stone the crest of the Brents, the wyvern.

It is owned by Canning Howard, Esq., of Corby Castle, Carlisle and of Foxcote House, Shipston on Stour. It is used as a farm house and occupied by a family by the name of Wilson.

The house at Admington is probably a more modern structure.

Sir Thomas Atkyns, writing in 1712 says of Lark Stoke: "This

manor is now in the family of the Brents who are the present possessors thereof and have an ancient seat in this place."

Sir William Dugdale in his "History of Warwickshire" states:

"About a quarter of a mile North West from the town (Illmington) there is a strong chalybeate spring * * The ground about it was generously given to the public forever by Sir Henry afterwards Lord Capell, then Lord of the Manor, and by Robert Brent of Larkstoke Esqr., who were the owners thereof."

The Brents of Stoke and Admington.

Issue of Robert and Margery (Colchester) Brent; 1. William, married Elizabeth and died 1595, will dated 23 June, 1591, proved 10 November 1597, buried at Illmington 5 April, 1595, leaves legacy to church at Quinton; 2. Nicholas, of Stow on the Wold, Gloucestershire, will dated 22 October, 1582, proved 11 February, 1583, in brother William's will, mentions kinsman Ancar Brent, married Elizabeth ——; 3. Thomas, mentioned in brother William's will; 4. a daughter, married Croftes; 5. a daughter, married Chettle; 6. a daughter, married Hyett; 7. Helen.

Issue of William and Elizabeth —— Brent: 1. Richard, in father's will, married (1572) Mary Huggeford and died before 1591; 2. Elizabeth, married John Hawthen, mentioned in father's will.

Issue of Thomas and —— Brent, 1. John, mentioned in uncle William's will; 2. Elizabeth, mentioned in uncle William's will, had a daughter Joan ——; 3. Agnes Brent, mentioned in uncle's will; 4. William, baptized July 28, 1586, married Margaret Randall Feb. 3, 1622.

Issue of Nicholas and Elizabeth —— Brent: 1. William Brent, eldest son, under age in 1582, mentioned in father's and uncle William's will; 2. William Brent, second son, mentioned in father's and uncle's will; 3. William Brent, third son, mentioned as in the foregoing; 4. Elizabeth Brent.

Issue of Richard and Mary (Huggeford) Brent: 1. Richard Brent, mentioned, as executor, in his mother's will, also in grandfather's will. Administration granted 21st May, 1652, to son George Brent and further administration in 1677 to nephew Robert Brent, married Elizabeth, daughter of Richard (Giles?) Reed, buried at Illmington 1 May, 1652; 2. Margaret Brent, married John Fowke, mentioned in mother's will; 3. Catherine; 4. Eleanor; 5. a daughter married Colborne; 6. a daughter married Chadwell; 7. Anne born Feb. 10, 1612; 8. a son who married and left a son named Robert who administered his uncle Richard's estate in 1677; 9. a daughter married —— Hopper. Mary Brent who married Richard Catesby Aug. 8, 1598, may have been a daughter of Richard and Mary Brent.

Richard Brent was Sheriff of Gloucestershire, 1614, and was a subscriber to the building of a bridge at Stratford upon Avon in 1618.

Issue of Richard and Elizabeth (Reed) Brent; 1. Fulke emigrated to

Maryland 1638, married Cecelia ——— and died without issue in 1656; 2. Richard baptized Nov. 7, 1656, married Margaret, daughter of Sir John Peshall, mentioned in grandmother's will—will dated 22 July, 1676. Codicil 27 Oct., 1678, will proved 10 May, 1679, his wife Margaret buried at Illmington 22 June, 1666; 3. Giles emigrated to Maryland 1638, married Mary ———, died in Virginia 1671; 4. William, married Barbara ——— and died without issue, his wife buried at Illmington, July 10, 1686. Concerning this gentleman, Anthony a Wood says: "Henry Carey began a translation of the history of France written by the Count Gualdo Priorato, but died after he had made some progress therein. Afterwards it was finished by Wm. Brent, Esq'r, and printed at London, 1677 (being the same person that had before wrote (*sic*), a book entitled, "*A discourse upon the nature of eternity and the condition of a separated soul according to the grounds of reason and principles of Christian Religion*," London, 1655, written while he was a prisoner in the Gatehouse at Westminister. It was afterwards printed there again in 1674.)

By the way it must be known that though we have had several Brents who have been students of the University (Oxford), yet this Will. Brent was not, but educated when a youth in Coll. of English Jesuits at St. Omers. Afterwards being entered into the Society of Grey's Inn, he became a barrister and a solicitor or such like officer under Thomas Earl of Strafford, when he was Lord Lieutenant of Ireland. He was born at Stoke Lark in Gloucestershire, in the Parish of Illmington in Warwickshire, and having suffered much for his religion by imprisonment, payments of money, and I know not what, lived privately several years at Foxcote in Warwickshire, and in his last days in London. He died near Little Turnstile, in Holborn in the Parish of St. Giles, in the Fields near London, 21 May, 1691, aged 80 years or more." 5. Edward, unmarried; 6. George, administrator to his father 1652, mentioned in grandmother's will and in conveyance 1663 as "of Defford," married Marianna, daughter of Sir John Peyton of Doddington, and twice married afterwards; 7. Margaret born 1601, emigrated to Maryland 1638, was alive in 1661, mentioned in grandmother's will; 8. Mary emigrated to Maryland 1638, died about 1657; 9. Catherine, baptized Aug. 25, 1630, died Nov. 1, 1640; 10. Elizabeth; 11. Eleanor; 12. Jane; 13. Ann, baptized Aug. 7, 1637, at Illmington.

Issue of Richard and Margaret (Peshall) Brent; 1. Robert, married Catherine ———, executor to his father, will dated 19 November, 1693, will proved 24 October, 1695. The following curious grant is mentioned in Hotten's "Our Emigrant Ancestors": 28 February, Grant to Robert Brent of all wrecks, &c., in or upon any of the Rocks, Shelves, seas or banks, on or near the coast of America between the Bermudas and Porto Rico or between Cartagena and the Havanna; 4. Jas. II, (1689). 2. Frances, died Dec. 20, 1656; 3. Mary, died April 3, 1657; 5.

Katherine, born May 7, 1639; 6. Elizabeth, died July 14, 1656; 7. Giles, died before 1666; 8. Margaret, married Thomas Bartlett of Evesham and had Richard and other children.

Issue of Robert and Catherine (———) Brent, 1; 2. Margaret and Mary, twins, born April 6, 1663, baptized May 4, 1663; 3. Anne married Sir John Littcott*; 4. Frances; 5. Elizabeth, baptized 20th October, 1665, married ——— Conquest and died before 1743; 6. Falcatius, died without issue before 1743, baptized at Illmington 30 July, 1667, mentioned in father's will, last in possession of Stoke.

Issue of George† and Marianna (Peyton) Brent; 1. George emigrated to Virginia about 1650, died about 1700, married first Elizabeth, daughter of William Green of Bermuda, and niece of Sir William Layton, married second Mary, widow of Colonel William Chandler; 2. John, died young; 3. Henry, married daughter of Henry Calvert, emigrated to Maryland and died there; 4. William, unmarried; 5. Edward died young at the College of Douay in Flanders; 6. Robert emigrated to Virginia, buried at Aquia, married Anne Baugh; 7. Anne, married James Clifton; 8 Elizabeth unmarried; 9. Dorothy married ———; 10. Mary, married Giles Brent, her cousin; 11. Margaret, unmarried, 12. Ursula, married Charles Umpraville.

(TO BE CONTINUED.)

THE MALLORY FAMILY.

(CONTINUED.)

NOTE.—By accident the pages of the last instalment of this genealogy were transposed. The correct order in which they should be read is 441, 443 (which should be 442), 442 (which should be 443) 444, and 445.

Thomas[11] Mallory, 6th son of Sir John Mallory, of Studley (see this Magazine XIII, 442), was born about 1566. He was B. D. of Cambridge, and was instituted June 27, 1599, to the important living of Ronaldskirk in the North Riding of Yorkshire. He also held the livings of Mobberley and Davenham in Cheshire; was instituted Archdeacon of Richmond,

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*Concerning him the following is quoted from the Harleian Society Publications:

John Litcott—A Soldier of fortune in Scotland in the time of King Charles I.

Sir John Litcott, knighted by —— ——— in France. 1701. No child living. = Anne, daughter of Robert Brent the famous Prosecutor of King James II, time. | Bridget unmarried.

James, died young.

†George Brent was twice married afterwards, had children by both marriages and left a son Richard who went to France.

Nov. 6, 1603, and on July 25, 1607, was presented to the Deanery of Chester. On Oct. 11, 1619, he purchased the advowson of Mobberley Church and became its parson in 1621. During the Civil wars Dean Mallory and his sons became active adherents of the King. In 1642 he was obliged to fly from his rectory house at Mobberley, and according to Walker (*Sufferings of the Clergy*, II, 305, 311), found refuge in Chester. He died at Chester, April 3d, 1644, and was buried in the quire of the Cathedral.

By his marriage with Elizabeth, daughter of Richard Vaughan, Bishop of Chester, he had issue :

I. Richard,[13] of Mobberley, eldest son, married and had issue. The estate of Mobberley descended in his family. His estates was sequestered by Parliament, and he made composition for £193.16.

II. Sir William,[13] baptized at Davenham, Aug. 4, 1606. He was of Bishop Auckland, was a Captain in the army of Charles I; was knighted Feb. 1, 1642-3, and died in 1643, without issue. On Oct. 26, 1643, Philip Mallory, of Norton, clerk, administered on his estate. Sir William was either killed or died in service.

III. Thomas[13] (of whom later).

IV. George[13], curate of Mobberley in 1632, married Alice, daughter of Thomas Strethill, of Mobberley, settled in Ireland, and had many children.

V. John[13], baptized at Davenham, May 4, 1612.

VI. Avery[13].

VII. Everard[13].

VIII. Rev. Philip[13], "son to the Right Wor'll M'r Thomas Mallory, Dean of Chester, baptized April 29, 1618," (*Register of St. Oswald's, Chester*). He emigrated to Virginia. For a sketch of his life and an abstract of his will, which mentions his nephews, Roger and Thomas Mallory, then in Virginia, see this Magazine XII, 398-402.

IX. Francis[14], baptized Jan. 13, 1622.

X. Jane, wife of John Halford, of Davenham.

XI. Katherine[12] (Martha?) married John Batte, of Okewell, Yorkshire, who emigrated to Virginia.

XII. Elizabeth, wife of Rev. Thomas Glover.

XIII. Mary, married Rev. Edward Wirley.

REV. THOMAS[12] MALLORY (son of Dean Mallory), was father of the emigrants to Virginia. A sketch of his life and a copy of his will are given in this Magazine XII, 400-401. In addition, however, the following, derived like most of the other information in regard to the Mallorys of Cheshire, from *The Cheshire Sheaf*, will be given.

Thomas Mallory, the younger, was the fourth son of the Dean, and was born about 1605. On the 15th October, 1624, he matriculated at

New College, Oxford. By his brother, Richard Mallory of Mobberley, Esq., and Wm. Forster, Gent., he was in 1634–5 instituted to the Rectory of Northenden, Chsehire, (15 February) and was re-presented by the King, 6th August in the same year (Earwaker's *East Cheshire*,) 1. 292-3) The death of his wife Jane occurred at Northenden, 12th February, 1638–9, but he seems to have re-married before 1643.

On the breaking out of the war, he, like his father, was compelled to forsake his benefice; and he fled to the adjoining garrison of Withenshaw, which had been fortified by Mr. Talton, as described in some interesting and original papers in *East Cheshire*, pp. 314-5. In that stronghold Mallory met with another determined anti-Parliament parson, Mr. Pollitt, the Curate of Choalton-cum-Hatrvey who had made himself obnoxious to his leading parishoners by attending horse races at Barlow Moor, and by other proceedings which they deemed unclerical.

In giving evidence against this clergyman, John Barlow, one of the villagers swore (10th February, 1647-8) that he had heard Mr. Pollitt confess to Mr. Hyde of Dentor that he went to Withenshaw, then a garrison, to speak with Mr. Mallory, of Northenden, a malignant parson. Withenshaw house was finally attacked and taken (25th February, 1643-4) by Col. Robert Duckenfield, and Mallory was one of those whose names were taken down as being then present. His living was sequestered about Aug. 1644, and others served the Cure.

His possessions consisted of a parsonage house and a little glebe land thereto. His wife claimed and received her fifths out of the Rectory.

Where the family resorted to does not appear. But in 1648, 6th July, Henry Newcome, afterwards the well known Minister of Manchester, was married "at Mr. Mallory's house at Davenshaw (qu. Davenham?) to Mistress Elizabeth Manwaringe." *Autob.* pp. 295 and 10. At Davenham the elder Mallory had been incumbent 43 years. Mallory in some way obtained in the year 1661, a title to the Rectory of Eccleston, in Leyland Hundred, Lancashire, (*Baines New Ed.* II, 148), an appointment which occurred in the very year in which Edward Gee, the energetic Presbyterian placed there by the local classis, was imprisoned.

Gee, however, returned from his incarceration; and he dated his prison book, *A Treatise of Prayer*, Lond. 8 vo, from Eccleston which indeed he continued to occupy. The circumstances attending Mallory's presentation to this rectory are not on record, but his right to it at the Restoration does not seem to have been called in question.

The next important event in Mallory's life was his engaging with Sir George Booth in the Cheshire Rising. On the passing of the Act in 1661, Mallory entered into possession both of Northenden and Eccleston, for both livings had become vacant by the deaths of those who had been appointed during the interregnum.

Mr. Earwaker (I 295) states that Mallory was re-instated at Northen-

den in the year 1662; but no authority is cited for that date, which seems about a year too late. Alluding to the preceding rector, Henry Dunster, who was buried there 20th March, 1661-2, Calamy says that Mr. Mellory (*i. e.* Mallory) was remarkably grateful to him. On April 17, 1662, Mallory received a dispensation to hold the rectories of Eccleston and Northenden. In some way Mallory became possessed likewise of the Advowson of this Rectory; for in the Chester Chapter Books there is an entry, 31st October, 1662, that the Advowson of Northenden for one term only was to be altered, on Dr. Mallory's behalf, from his own name to those of Sir Jeffrie Shakerly, Sir John Nederne and Edward Hyde, Esq. The next vacancy, which did not arise through Mallory's death, occurred about five years later, when John Cooke was instituted Rector, 25th February, 1667-8, on the presentation of Edward Hyde of Hyde Esq. (Ewwaker I. 295).

In the year 1660, when there were many applications for the vacant ecclesiastical patronage in the King's gift, Mallory was active for his own further advancement. On the 6th July that year he drew up a petition for the rich Rectory of Houghton—On-the Side—*i. e.*, we presume, Houghton-le-Spring, soon to be void by the removal of Dr. John Barwick to the Deanery of Durham, in which he was installed 1st Nov. Mallory's petition is as follows *State Papers. Dom. Chas.* II, vol. VII, No. 58:

"To the King's Most Excellent Ma'ty:

The humble peti'on of Tho: Mallory, Clerk, Sheweth that y'r pet'r hath served y'r Royall father throughout ye Warre and y'r royall selfe in ye late (though abortive) endeavors of ye Cheshire Gentlemen, hath ever beene conformable to ye Government and Discipline of ye Church of England; and whereas ye Rectory of Houghton On the Side, in the Bishoprick of Duresme, is now voyd and in y'r Mat'yes Donac'on.

"May it therefore please y'r gracious Mat'y to grant y'r royall presenta'n unto ye said Rectory unto ye pet'r

And y'r pet'r shall ever pray, &c."

"At the Court at Whitehall ye 6th of July 1660:

"His Ma'tie is graciously pleased to referre this Petition to Doctor Shelden Deane of the Chappell, Dr. Earles Deane of Westminster and Doctor Morley Deane of Christ Church or any two of them, who are to inform themselves of the Pet'rs merit and due qualifacaco' for the said preferment and report the same to his Ma'tie together with their opinions.

"Whereupon his Majesty will signify his further pleasure.

EDW. NICHOLAS.

This Petitioner is capable of ye favour he desires.

G. SHELDON.

(Not Endorsed). GEOR. MORLEY.

The dignitaries named in the King's direction were those who managed the ecclesiastical business at the Restoration.

To this paper is annexed a Document Humbly Certifying "that ye Bearer hereof Tho: Mallory M. of Arts, Episcopally ordained, is of a holy life and Conversation, orthodoxe in Judgm't conformable to the Antient Doctrine and Discipline of ye Church of England, and hath bene in these late revoluc'ons of times faithfull and loyall to his Sacred Ma'tye, and to his father of ever blessed Memory." This Certificate is signed by Bruno Ryves, Deane of Chich (ester); George Hall, Archdeacon of Cornwall; Thomas Hyde, Can. D'ni. Epi. Sarum; and Geo. Wilde, LL. D. All were firm and active royalists. Ryves was the author of *Mercurius Rusticus* and other writings in the interest of the King. Hall, son of the celebrated bishop of that name, had been beneficed in Cornwall during the troubles, was consecrated Bishop of Chester in 1662, and as such was, according to Martindale, p. 165, "brisk with his significavits." Hyde belonged to the family of the Chancellor Clarenden, and held other preferments in Salisbury Cathedral. Wilde became Bishop of Londonderry.

Some of these clergymen were amongst those who ministered to loyal congregations in London during the troubles; and an indication of Mallory's presence with them is obtained.

The petition for the Rectory of Houghton was not successful; for Dr. William Sancroft was appointed 7th December, 1661, on the resignation of Barwick (Surtees *Dnrham*, i 157). Mallory next tried to obtain other preferment in the north, aud in July, 1660, addressed the following to the King (Ibid, Vol. VI) No. 104:

"To the King's Most Excellent Ma'ty:

The humbe petic'on of Thomas Mallery, Clerke Sheweth:

"That ye pet'r is and ever hath bene a faithfull sonne of ye Church of England, a Loyall and obedient Servant & Sub't of y'r royall father & y'r Ma'ty; that besides his personall Sufferings for his Loyalty, which were eminent, he hath lost 5 Brethren, of whom some dyed, others were slain in his late Majestyes service.

"And whereas ye Prebend of Stillington belonging to the Cathredrall Church of Yorke is now voyd, & in your Ma'tys Gift by vacancy of that See. May it therefore please your sacred Mat'y to conferre ye s'd Prebend upon y'r Pet'r.

And ye pet'r shall as in duty bound pray."

"At the Court at Whitehall ye 13th of July 1660 His Ma'tie referres this petic'on to Doctor Sheldon, Doctor * * * *

The piece of patronage went, however, into the hands of Henry Bridgeman (brother of Sir Orlando) who afterwards succeeded to the Deanery of Chester and Bishopric of Man.

At length Mallory's pertinacity was rewarded by a Prebend, viz., the Sixth Stall in Chester, being presented to it on the 30th July, 1660 (*Le Neve*, III 271; *Kennet*, 333; *Omerod*, I, 271). It has been said that he held this stall 'till 1662, probably resigning it on leaving Chester for Northenden. But this date wants modifying. The next Prebendary in Le Neve's list (Evans) was indeed instituted in 1662; but it does not follow that he passed into Mallory's Stall, for Le Neve has put all the six prebends in one list, chronologically arranged; but Omerod (i 271) has more properly divided the names into six lists, from which it is ascertained that Mallory's successor in the Sixth Stall was appointed in 1664. According to the new edition of Ormerod (i. 271), there is a doubt whether this Prebendary was the same person as the Rector of Northenden.

On 19th Sept., 1660, Mallory, then called M. A., was further admitted to the Prebend of Wolvey, in the Cathedral of Lichfield (*Kennet*, p. 333; *Le Neve*, I, 642). He probably had an early promise of this preferment, for on the 4th August in the same year he signs his name as Preb. de Lichfield to a document advancing the claims of Francis Mosley, Minister of Bunbury, in Cheshire, to a Fellowship, in Manchester Church, his (Mallory's) associates in that kind office being Dean Henry Bridgeman, D. D., Dean of Chester; Rich. Heyricke (Warden of Manchester); Tho. Case (of London); Joan. Cole, D. D.; B. Eaton, D. D.; and Richard Johnson (Fellow of Manchester).

About this time Mallory would seem to have obtained his degree of S. T. P. In 1661-2 (Feb. 25) Dr. Mallory was nominated by the Chapter of Chester to the Rectory of St. Mary's, Chester, on the avoidance thereof by Mr. Richard Hunt, in order to a certain agreement between him and Capt. Richard Brereton, of Chester.

* * * * * * * *

Mallory died at Brindle, near his Rectory of Eccleston, where he was buried on 8th September, 1671.

Rev. Thomas Mallory names in his will, his wife Francis, his sons Thomas and Roger in Virginia, his son John, in London, and daughters Jane Stampe, Mary Forde and Susanna.

(TO BE CONTINUED.)

THE BROOKE FAMILY OF VIRGINIA.

(By Prof. ST. GEORGE TUCKER BROOKE, Morgantown, W. Va.)

(CONTINUED.)

(2) Edwin Brooke Spotswood and Lucy Cooper had issue: (a) Wm. F., of Norfolk, Va.; (b) Joseph, died in Spanish American War; (c) Edwin Bartlett; (d) Brooke.

(7) Susannah married James Vass who came from Forres Scotland when very young during or soon after the Revolution and settled in Fredericksburg, Va. He m. about 1798; he m. 2nd Elizabeth Brain Maury daughter Col. Abram Maury of Madison Co. James Vass was half brother of Jane Morrison who was wife of William Brooke and mother of the late Hon. James Vass Brooke of Warrenton, Va., and this William Brooke was son of William Brooke whose wife was Molly, dau. Col. Wm. Beale of Richmond Co., and the last named William was son of William Brooke "the elder" who is said to have married ——— Fontaine and who was 2nd son of Robert Brooke, Jr., Knight of the Golden Horseshoe.

Susannah Brook and James Vass had issue; (a) James Cumming Vass married April, 1824, Eleanor Hawkins Smith, of Warrenton, Va., descended on her mother's side from Richard Lee, on her father's side from John Marshall; (b) Edmund Brooke Vass married a Scotch lady, Miss McRae, whose father was head of his clan, and left three daughters who lived with their mother's relatives in Scotland; one of these daughters married an officer in the English army, one married a Dr. Warner, of Edinburg, all three are now dead without issue; (c) Douglas Vass, married a Miss Fife, of Jamaica, and left no issue; (d) Horatio Penrose Vass died in Baltimore unmarried; (a) James Cumming Vass and Eleanor Hawkins Smith had issue.

(A) Lachlan Cumming, born 1826, died young; (B) Maria Susannah married Rev. Edward Martin, of Richmond, Va.; (C) Douglas Vass married Eliza Longstreet Heard, of Mobile, Ala.; (D) JamesCumming died young; (E) Robert Smith d. y.; (F) Horatio Penrose b. April, 1837, m. 1st Emma Jane Townsend, of Mobile, Ala., m. 2nd Charlotte Erwin, of Tenn., m. 3rd Judith Guest, of Kentucky; (G) Ellen Elizabeth m. May 26th, 1859, Col. Robert White, of Wheeling, W. Va, Attorney General of W. Va., 1877; (H) Jane Cumming d. y.; (I) Thos. Marshall b. 1843, m. Jennie Jones, of Montgomery, Ala.; (J) Clara Morton m. Wilfred Tuggle, of Blackstone, Va.; (K) Frank Lee b. Sept., 1850.

(B) Maria Susannah Vass and Rev. Edward Martin had issue; (a) Arabella White m. Thos. B. Frye, of Keyser, W. Va.; (b) John Blannerhassett m. Emily Johns, of St. Charles, Mo.; (c) Douglas Vass (d); (e) Eleanor Brooke; (f) Maria Vass; (g) Edward; (h) Elizabeth Appia; (i) Alexander; (j) Louisa Davis; (k) Louisa Davis; (l) Julia Glenday.

(a) Arabella White Martin and Thomas B. Frye had issue: Maria Vass, Douglas Hughes and Malcomb Robb; (b) John Blannerhassett Martin and Emily Johns had issue, Hugh, Mary and Blennie, and John B. Douglas, m. Margaret Fielding of St. Charles, Mo.; issue Marie, Margaret G., Maurice F., Douglas Vass, and Louise Davis, m. Shirley Johns, of St. Charles, Mo.; (C) Douglas Vass and Eliza Longstreet

Heard had issue. Cordelia West m. Winston Jones, of Mobile, Ala. Mary Clifton m. George Poitz, of Mobile, Ala., and a son d. y.

(F) Horatio Penrose and Emma Jane Townsend had issue (a) Eleanor Douglas m. Edward Beatty Bowie, of Md., issue (a) Robert Edward and Allen Davis; (b) Wilmot T. m. Carrie McIntyre, issue (a) daughter Dovie; (c) Zemula C. m. Robert Platt Steel, of Montgomery, Ala., issue (a) Penrose Vass; (b) Robert Platt and (c) Rebecca.

(F) Horatio Penrose Vass and 2nd wife Charlotte Erwin had issue: (a) Erwin; (b) Douglas and (c) Harry.

(F) Horatio Penrose Vass and 3rd wife Judith Guest had issue, (a) Louise and (b) Lounie.

(G) Ellen Elizabeth Vass and Col. Robert White had issue, (a) John Baker d. y., (b) James Cumming d. y., (c) Robert White d. y., (d) Marshall White lived to manhood, d. Jan. 11th, 1891, (e) Eleanor Randolph d. 1881, aged 13 years, (f) Katherine Douglas m. Chiles Mason Ferrell of Richmond, Va., issue Robert White Ferrell, aged ten years.

(I) Thomas Marshall Vass and Jennie Jones had issue, (a) Eleanor Hawkins m. David Fitzpatrick, issue, a daughter Marshall Elise, (b) Theresa Lee, (c) Libbie White, (d) Mary Marshall (e) Robert White, (f).

(J) Clara Morton Vass and Wilfred Tuggle had issue, (a) R. Baxter, m. Martha Buckley, of Farmville Va., (b) Susannak Brooke, m. Max Donnan of Petersburg, Va., issue (a) Sally Branch, (c) Florence, m. Harry Barkley of Nottoway Co., issue, (a) Maria Vass, (d) Eleanor, (e) John B., (f) Netta, (g) Maria Vass, (h) Douglas, (i) Wilfred.

(8) Sarah married Jesse Michaux of Cumberland.

(9) Elizabeth married Micou and moved to Alabama.

(10) This Edward Voss, spelled with an 'o,' must have been the testator's nephew, the son of his sister, Elizabeth, who married ——— Voss.

'The Knight of the Golden Horseshoe,' had four daughters all of whom married as follows: Katherine, m. Rose. (Rev. Robert Rose?); Susannah, m. Rowzee; Molly, m. Sale; Elizabeth, m. Voss. Querie, were the Gwathmeys and the Doswells descended from one or more of these four daughters of Robert Brooke, Jr.? We have now published the wills of Robert Brooke, Jr., and of three of his four sons; the fourth and youngest son, Richard of 'Smithfield,' probably died intestate, as his will can not be found and the records of Spotsylvania show that his son Dr. Lawrence Brooke qualified as his father's administrator: not *cum testamento annexo*, nor *de bonis non*.

(TO BE CONTINUED.)

BOOK REVIEWS.

VIRGINIA STATE LIBRARY. CALENDAR OF TRANSCRIPTS, Including the Annual report of the Department of Archives and History. John P. Kennedy, State Librarian, Richmond, Va., 1905, pp. 658, xliv (index).

The State Library has rendered a very great service to students of Virginia history by the publication of this admirable catalogue of the public records of the State. This volumes covers far wider ground than its title would indicate, for it not only contains a calendar of the transcripts from the English Public Record Office, which are now in the State Library; but also gives a list of the legislative and council journals, and of the great mass of original Colonial and State records, which still remain to us, in spite of so many and so serious losses.

For the first time the wealth of our records is at all properly shown.

The work of preparing this catalogue and calendar was of course very great and the Librarian and his assistants are to be congratulated on the successful result.

The volume begins with a summary of the archives in the Library, and this is followed by the various lists and calendars. Perhaps the best way, in the limited space we have, to give an idea of the character and value of the volume is simply to list its contents. They are as follows: Pages 14-40 Journals and Minutes of Council. Most of these refer to the Council in its executive capacity; but there are records of thirty-five sessions of that body sitting as upper house of Assembly. These are most valuable aids to the study of bi-cameral legislation in Virginia. The earliest Journal of the Upper House (that of 1685, a copy in the *McDonald Papers*) shows that all the legislative methods of an upper chamber had fully developed by that time. The Executive Journals of Council of 1776-83 throw much light on Revolutionory history.

Pages 41-65 Legislative Journals, Minutes, and other cognate records. The lack of Journals of the House of Burgess is the weak point in the collection of records; but it is one which the Library is rapidly filling. It will not be many years before copies of all remaining journals (probably but few, if any, prior to 1680), will be accessible at the Library and in course of time all will be printed. As is well known there are many serious gaps in the printed Journals of the House of Delegates. Fortunately the manuscript Journals seem to be in an unbroken series down to 1809, and the rough minutes come down much farther.

Pages 65-68 give a list of the Journals and other records of the various

Conventions. Pages 68–72 give the executive (gubernatoral) journals, 72–79, Governor's Letter Books, and 79–80 Executive Minutes.

80–81 include various civil lists (justices, &c.), 1775–1860, while 81–93 are devoted to the very valuable military records. These include the ten priceless volumes relating to the conquest of the Northwest Territory, a collection, which is almost uuknown, and whose value to the historian can hardly be over estimated. It is to be hoped that this great collection will soon be placed by the Library in such condition as to be easily consulted by students. The original papers were placed in these volumes, probably at the time the commissioners made their final report, and are arranged in a most disorderly way.

94–101 contain lists of the transcripts from the county records, Accomac, Elizabeth City, Essex, Henrico, Old Rappahannock, Surry, York and Warwick (none complete) and a tentative statement of the records existing in the various counties. No accurate statement will ever be obtained in regard to the latter without a special inspection. The county clerks, as a rule, are too indifferent and have too little knowledge of the records in their custody for their reports to be of much value.

The volumes of Auditor's accounts which are in the Library are listed on pages 101–105. The thirty-eight folio volumes covering the period 1775–91 are of great value in regard to the Revolution.

Omitting matters of minor interest, we come to the abstracts and transcripts from English public records, the calendar of which begins on page 112 and continues to the end of the book. Among these is the calendar of the Sainsbury Abstracts, which notes each document in the twenty volumes of that collection. It is true that the documents in this collection are also included in the English Calendar of Colonial State Papers (as far as that publication has been issued), but it should be borne in mind that the Sainsbury Abstracts are on the average, one-third fuller than those published by the English authorities—a very important matter in ascertaining the sense and contents of a paper.

In addition there are calendars of the copies in the McDonald, De Jarnett, Winder and other collections of papers.

It will be seen from this brief summary that this volume must prove an indispensible guide for all work in Virginia history.

THE PLANTING OF THE PRESBYTERIAN CHURCH IN NORTHERN VIRGINIA. Prior to the Organization of Winchester Presbytery, December 4, 1794. By James R. Graham, D. D., Pastor Emeritus of the Presbyterian Church in Winchester, Va. Winchester, The Geo. F. Norton Pub. Co., 1904, pp. 167.

No one could have been better adapted than Dr. Graham to write the history of the founding of Presbyterianism in the lower Shenandoah Valley, and in Northern Virginia generally. He has investigated

thoroughly all remaining sources of information and has weighed his evidence carefully. After treating of the settlement of Presbyterianism in the lower Valley (which he places as early as 1720), the author takes up the various Churches in the order of their organization, Potomac, Opequon, Bullskin, South Branch, Cedar Creek, Tuscarora, Back Creek, Cape Capon, Falling Waters, Patterson's Creek, Shepherdstown, &c., in the various counties which came within the limits of his work.

The book contains a great deal of valuable and interesting historical and biographical matter, and should have a place in all collections relating to Virginia.

LOPEZ'S EXPEDITIONS TO CUBA, 1850 AND 1851. By Anderson C. Quisenberry, member of The Filson Club, author of "The Life and Times of Humphrey Marshall" [&c., &c.,]. * * * Illustrated. * * * Louisville, Ky., 1906, Filson Club Publications No. 21, pp. 172.

Col. Durrett says, in his introduction, "I am not familiar with any previous work in which these expeditions have been so fully and faithfully recorded." As Kentuckians bore such a conspicuous part in these once noted attempts, it is suitable that a Kentuckian should write, and that the Filson Club should publish in its usual sumptuous manner a worthy history of them.

Mr. Quisenberry has carefully investigated all available sources of information and has prepared a work of real interest and value. It is handsomely illustrated with portraits and maps.

GENEALOGIES OF THE LEWIS AND KINDRED FAMILIES. Edited by John Meriwether McAllister, Atlanta, Ga., and Lura Boulton Tandy, Columbia, Mo. Columbia, Mo., 1906, pp. 416, with index. Illustrated.

This book on the various families of Lewis in Virginia, and including many connected names, is the result of years of painstaking and laborous research, and must be of much interest and value to all who are related to the families treated of. The various families of the name Lewis tracing to Gloucester county, to Zachary Lewis, "Planter John Lewis," and John Lewis of Henrico, Jno. Lewis of Donegal, John Lewis of Hanover, are treated of at length. Genealogies of Reade, Warner, Washington, Dr. Breuil or Dibrell, Lee, Russell, Fearn, Cobbs, Meriwether, McAllister, Boulton, Estes, Hickman, and many others also are given in varying degrees of completeness as they happen to come within the scope of the work.

The work of the compilers, one of whom, Mr. McAllister, is now dead, can be highly commended, though some may not agree with

them as to the existance of General Robert Lewis, as to the claim that the Lewises and not the Warners first owned "Warner Hall," that the parentage of Col. Clement Reade has been definately established, or in thinking that Dr. Lee was in error in rejecting a lineage which (according to this author's belief) goes back to the Norman Conquest, or indeed various other disputed matters. These things have all been often discussed, and materials on which to form an opinion are accessable to most persons who are interested.

POCAHONTAS. By Virginia Armistead Garber. Illustrated by the Author. Broadway Publishing Company, New York, N. Y.. pp, 39.

Mrs. Garber has told very prettily, and at the same time accurately, in Hiawathan verse, the romantic story of Pocahontas. At this anniversary period, when the public mind is turned so greatly to the early days of Virginia, a wide popularity can safely be predicted for this little book. The exquisite colored frontispiece portrait of Pocahontas (copied from the original) will make persons desire to own two copies of the book—one to preserve in the library and the other to be deprived of the frontispiece for framing. Mrs. Garber has very appropriately dedicated her poem to the Association for the Preservation of Virginia Antiquities.

PLANTATION TALES. By George E. Wiley, M. D., Bristol, Va. Illustrated. Broadway Publishing Company, New York, pp. 156.

It is stated in the Publisher's Note that the profits of this book will be devoted to the maintenance of a home for old worn-out ex-slaves, and quotes letters commending the plan from ex-Governors Montague and Tyler and a number of other prominent citizens. The volume contains fifteen negro dialect stories, taken from the lips of colored people who related them. It is thus an interesting and valuable addition to our Southern folklore.

ERRATA IN VOLUME XIII.—Page 200, 3d line from bottom, for "renewed" read "received"; p. 201, l. 4, for "Rappahamack" read "Rappahannack"; p. 298, l. 6, for "1616" read "1626"; p. 312, l. 5, for "Sir" read "Son"; p. 324, l. 17, for "animae" read "animal"; p. 403, l. 8, 9, for "fleus" read "fleur."

IN MEMORIAM.

John Peyton McGuire.

Born September 30, 1836. Died April 29, 1906.

The Executive Committee of the Virginia Historical Society desiring to record in permanent form its high esteem and affection for its late member, and its sense of sorrow at his death, has ordered this memorial to be published in the Virginia Magazine of History and Biography.

John Peyton McGuire was born at "The Rectory," Essex county, Virginia, September 30, 1836, and was the son of Rev. John P. McGuire, Rector of South Farnham parish, and Maria Mercer Garnett his wife. On both sides he was descended from old and honored Virginia families.

After education at the Episcopal High School and the University of Virginia he began his life-long profession, as a teacher, in the High School, and during a portion of the War between the States was instructor of Mathematics on the Confederate naval school-ship Patrick Henry. In October, 1865, he opened his school in Richmond and was its principal at the time of his death.

Such are the simple facts of Mr. McGuire's life. His true history is in the lives of the 4,000 boys he taught. His character was as simple and straightforward as his life. He was a scholar, a gentleman and a Christian. He loved good books and good men, and in his modest and gentle, but when need be, firm way, he spared no pains in the endeavor to teach his pupils good scholarship and good literature and to become high-minded and God-fearing men.

As no branch of science or art can be truly taught without

inculcating devotion to duty, love of truth, and a widely embracing charity, it may be fitly said of him, though no minister, as it was said of one of old:

> "Christ's lore, and his Apostles twelve
> He taught; and first he followed it himself."

In every situation of life in which he was placed Mr. McGuire bore himself worthily; but it was as a teacher that his great work was done, and for which he will long be held in honor and loving remembrance by thousands of hearts. Though his work was in a narrower sphere than Rugby, not Arnold himself could have left a deeper impress on his pupils.

On the 14th of June of last year his scholars, old and new, showed the esteem in which they held him by presenting his portrait to the University of Virginia. This honor and affection was more strongly emphasized at his funeral, when a tribute was paid such as no teacher in Richmond had ever before received—a great body of pupils, those of thirty years ago, together with those of to-day, marching in column through the streets as an escort to the remains of their beloved teacher. The eyes of men who had associated with Mr. McGuire in such bodies as our Committee, filled with tears, and little boys, only a short time in his school, wept at his grave.

Such was the life and death of our late associate, whose memory as a most loyal and devoted Virginian, an active and interested member of our Society, a great teacher, and a noble exemplar of all that is highest and best in character, will long be cherished by us.

PUBLICATIONS OF THE VIRGINIA HISTORICAL SOCIETY.

NEW SERIES.

"Collections of the Virginia Historical Society. New Series. Edited by R. A. Brock, Corresponding Secretary and Librarian of the Society, (Seal) Richmond, Va. Published by the Society." Eleven annual volumes, uniform. 8vo., cloth, issued 1882–92, carefully indexed, as follows:

The Official Letters of Alexander Spotswood, Lieutenant-Governor of the Colony of Virginia, 1710-1722. Now first printed from the manuscript in the Collections of the Virginia Historical Society, with an introduction and notes. Vols. I and II.

Two Volumes. Portrait and Arms. pp xxi-179 and vii-368. 8 00

The Official Records of Robert Dinwiddie, Lieutenant-Governor of the Colony of Virginia, 1751-1758. Now first printed from the manuscript in the Collections of the Virginia Historical Society, with an introduction and notes. Vols. I and II.

Two volumes. pp. lxix-528 and xviii-768. Portraits, *fac-simile* of letters of presentation from W. W. Corcoran, cut of Mace of Borough of Norfolk, Va., and reproduction of the Map of Virginia, Maryland, Delaware and Pennsylvania, engraved for Jefferson's Notes on Virginia, 1787. 5 50

Documents, Chiefly Unpublished, Relating to the Huguenot Emigration to Virginia and to the Settlement at Manakin Town, with an Appendix of Genealogies, presenting data of the Fontaine, Maury, Dupuy, Trabue, Marye, Chastaine, Cocke and other Families.

Pages xxi-247. Contains *fac-simile* of plan of "King William's Town." 2 50

Miscellaneous Papers, 1672-1865. Now first printed from the manuscript in the Collections of the Virginia Historical Society. Comprising Charter of the Royal African Co., 1672; Report on the Huguenot Settlement 1700; Papers of George Gilmer of "Pen Park," 1775-78; Orderly Book of Capt. George Stubblefield, 1776; Career of the Iron-clad Virginia, 1862; Memorial of Johnson's Island, 1862-4; Beale's Cav. Brigade Parole, 1865.

Pages viii-374. 2 50

Abstract of the Proceedings of the Virginia Company of London, 1619-1624, Prepared from the Records in the Library of Congress by Conway Robinson, with an introduction and notes. Vols. I and II.

Two volumes. Pages xlvii-218 and 300. The introduction contains a valuable critical essay on the sources of information for the student of Virginia History. 5 00

The History of the Virginia Federal Convention of 1788, with some account of the Eminent Virginians of that era who were members of the Body, by Hugh Blair Grigsby, LL. D., with a Biographical Sketch of the Author and illustrative notes. Vols. I and II.

Two volumes. Pages xxvii-372 and 411. 5 00

Proceedings of the Virginia Historical Society at the Annual Meeting held December 21-22, 1891, with Historical Papers read on the occasion and others.

Pages xix-386. Contains papers on the Virginia Committee of Correspondence and the Call for the First Congress; Historical Elements in Virginia Education and Literary Effort; Notes on Recent Work in Southern History; Ancient Epitaphs and Descriptions in York and James City Counties, Washington's First Election to the House of Burgesses; Smithfield Church, built in 1632, Richmond's First Academy; Facts from the Accomac County Records, Relating to Bacon's Rebellion; Thomas Hansford, first Martyr to American Liberty; Journal of Captain Charles Lewis in Washington's Expedition against the French in 1755; Orderly Books of Major Wm. Heath 1777, and Capt. Robert Gamble, 1779, and Memoir of General John Cropper. 2 50

The full set of these publications can be obtained for **$31.00**, or the separate publications, at the prices named.

CATALOGUE OF THE MANUSCRIPTS in the Collection of the Virginia Historical Society and also of Some Printed Papers. Compiled by order of the Executive Committee. Supplement to the *Virginia Magazine of History and Biography*. Richmond: Wm. Ellis Jones, Printer. 1901.

Paper, 120 pp. Price, $1.00. Sent free to members and subscribers on receipt of 10 cents for postage, &c.

AN ABRIDGMENT OF THE LAWS OF VIRGINIA. Compiled in 1694. From the original manuscripts in the collection of the Virginia Historical Society. 80 pp., paper. Richmond, 1903.

An edition of 300 copies, reprinted from the *Virginia Magazine of History and Biography*. Price $1.00.

Discount allowed to booksellers.

VIRGINIA MAGAZINE OF HISTORY AND BIOGRAPHY.

The Virginia Magazine of History and Biography, Edited to October 1st, 1898, by Philip A. Bruce, and since that date by William G. Stanard, Corresponding Secretary and Librarian of the Society, (Seal). Published Quarterly by the Virginia Historical Society, Richmond, Va. House of the Society, No. 707 East Franklin St.

VOLUME I—Octavo, pp. 484-viii-xxvi-xxxii.

Contains cut of the Society's Building, accounts of the proceedings and transactions of the Society for the year 1893, and many exceedingly valuable, original historical documents and papers which have never before appeared in print. Among others may be mentioned, Discourse of the London Company on its administration of Virginia affairs, 1607-1624; Abstracts of Colonial Patents in the Register of the Virginia Land Office, beginning in 1624, with full genealogical notes and an extended Genealogy of the Claiborne Family; The Mutiny in Virginia in 1635; Samuel Matthew's Letter and Sir John Harvey's Declaration; Speech of Governor Berkeley and Declaration of the Assembly with reference to the change of Government in England and the passage of the First Navigation Act of 1651; Petition of the Planters of Virginia and Maryland in opposition to the Navigation Act of 1661 Bacon's Rebellion, 1676; His three proclamations, Letters of Sherwood and Ludwell, Proposals of Smith and Ludwell, and Thomas Bacon's Petition; Letters of William Fitzhugh (1650-1701), a Leading Lawyer and Planter of Virginia, with a genealogical account of the Fitzhughs in England; Lists of Public Officers in the various Counties in Virginia late in the 17th and early in the 18th centuries; Roster of Soldiers in the French and Indian Wars under Colonel Washington; Officers, Seamen and Marines in the Virginia Navy of the Revolution; Roll of the 4th Virginia Regiment in the Revolution; Diary of Captain John Davis of the Pennsylvania Line in the Yorktown Campaign; General George Rogers Clark,—Roll of the Illinois and Crockett's Regiments and the Expedition to Vincennes; Department of "Historical Notes and Queries," containing contributions by Hon. Wm. Wirt Henry, and many other items of value; Department of "Book Reviews;" A full Index. **5 00**

VOLUME II—Octavo, pp. 482-ii-xxiv.

Contains a full account of the proceedings and transactions of the Society for the year 1894, and the following list of articles copied from the original documents: Report of Governor and Council on the Condition of Affairs in Virginia in 1626; Abstracts of Colonial Patents in the Register of the Virginia Land Office. with full genealogical notes and extended enealogies of the Fleet. Robins and Thoroughgood Families; Reports of Grievances by the Counties of Virginia after the suppression of Bacon's Insurrection; A full history of the First Legislative Assembly ever held in America (that in 1619 at Jamestown), written by Hon. Wm. Wirt Henry; The concluding list of Virginia Soldiers engaged in the French and Indian Wars; The opening lists of the Virginia Officers and Men in the Continental Line, compiled from official sources; A valuable account of the Indian Wars in Augusta County, by Mr. Joseph A. Waddell, with the lists of the killed and wounded; Instructions to Governor Yeardley in 1618 and 1626, and to Governor Berkeley in 1641; Letters of William Fitzhugh continued, with full genealogical notes; The Will of William Fitzhugh; A complete List of Public Officers in Virginia in 1702 and 1714; Valuable account of Horse Racing in Virginia, by Mr. Wm. G. Stanard; The first instalment of an article on Robert Beverley and his Descendants; Wills of Richard Kemp and Rev. John Lawrence, both bearing the date of the 17th century; Short Biographies of all the members of the Virginia Historical Society who died in the course of 1894; An elaborate Genealogy of the Flournoy Family, throwing light on the Huguenot Emigration; Department of His-

torical Notes and Queries, containing many valuable short historical papers and also Genealogical contributions, among which the Carr and Landon Genealogies are of special interest; Department of Book Reviews, containing critical articles by well known historical scholars. Volume II, like Volume I, has been thoroughly indexed. 5 00

VOLUME III—Octavo, pp. 460-ii-xxviii.

Contains a full account of the proceedings of the Society for the year 1895, and the following list of articles copied from original documents: Letters of William Fitzhugh continued; Instructions to Berkeley, 1662; Virginia under Governors Harvey and Gooch; Causes of Discontent leading to the Insurrection of 1666 under Bacon; Will of Benjamin Harrison the Elder; Culpeper's Report on Virginia in 1683; Defense of Col. Edward Hill; A series of Colonial letters written by William Byrd, Jr., Thomas Ludwell, Robert Carter, Richard Lee, and Sir John Randolph; Decisions of the General Court of Virginia, 1626-1628, first instalment; Indictment of Governor Nicholson by the leading members of his Council; Abstracts of Virginia Land Patents, extending to 1635, with full genealogical notes; A History of Robert Beverley and his Descendants, with interesting Wills and new matter obtained from England; Genealogies of the Flournoy, Cocke, Carr, Todd and Chappell Families; Voluminous Historical Notes and Queries of extraordinary original value, relating to a great variety of subjects; Department of Book Reviews, containing articles from the pens of well known historical scholars. Volume III, like the preceding Volumes, has a full index. 5 00

VOLUME IV—Octavo, pp 492-i-xxiii.

Contains the following general list of Contents: A Marriage Agreement between John Custis and his wife; A Perswasive to Towns and Cohabitation by Rev. Francis Mackemie 1705; Abstracts of Virginia Land Patents for 1635-6; Army Supplies in the Revolution, Series of original letters by Judge Innes; Attacks by the Dutch on Virginia Fleet, 1667; Boundary Line Proceedings, for Virginia and North Carolina 1710; Charges against Spotswood by House of Burgess 1719; Council Proceedings, 1716-1717; Decisions of Virginia General Court, 1626-28 Continued; Defence of Colonel Edward Hill Continued Depositions of Revolutionary Soldiers from County records; Early Spotsylvania Marriage Licenses; Genealogy—Cocke, Flournoy, Trabue, Jones, and Rootes Families; Historical Notes and Queries; A full list of House of Burgesses, 1766 to 1775; Instructions to Governor Francis Nicholson; Letter and Proclamation of Argall; Letters of William Fitzhugh; Narrative of Bacon's Rebellion by the English Commissioners; full abstracts of Northampton County Records in 17th Century; Ordeal of Touch in Colonial Virginia; Patent of Auditor and Surveyor-General; Prince George County Records with much information as to its families; Proceedings of Visitors of William and Mary College, 1716; A list of Shareholders in London Company, 1783; also of Slave Owners in Spotsylvania County, 1783; Virginia Tobacco in Russia in 17th Century. Volume IV has a full index. 5 00

VOLUME V—Octavo, pp. 472-i-xxiii.

Contains the following general list of Contents: Abstracts of Virginia Land Patents, 1636; and Patents and Grants, 1769; Rappahannock and Isle of Wight Wills, 17th Century; Government of Virginia, 1666; Bacon's Men in Surry; and List of Persons Suffering by the Rebellion; Boundary Line Proceedings, 1710; Carter Papers; Case of Anthony Penton; Colonial and Revolutionary Letters, Miscellaneous; Early Episcopacy in Accomac; Depositions of Continental Soldiers; Families of Lower Norfolk and Princess Anne Counties; Genealogy of the Cocke, Godwin, Walke, Moseley, Markham, Carr, Hughes, Winston, Calvert, Parker and Brockenbrough Families; General Court Decisions, 1640, 1641, 1666; Memoranda Relating to the House of Burgesses, 1685-91; Journal of John Barnwell in Yammassee War; Letters of Lafayette in Yorktown Campaign; Letters of William Fitzhugh; Letters to Thomas Adams, 1769-71; Public Officers, 1781; Northampton County Records, 17th Century; List, Oath and Duties of Viewers of Tobacco Crop, 1639; Petition of John Mercer Respecting Marboro Town; Price Lists and Diary of Colonel Fleming, 1788-98; Abstract of Title to Greenspring; Tithables of Lancaster County, 17th Century; The Meherrin Indians; The Trial of Criminal Cases in 18th Century. Volume V has a full index 5 00

VOLUME VI—Octavo, pp. 473-iv-xxiii.

Contains the following general list of principal Contents: The Acadians in Virginia; Letters to Thomas Adams; Journal of John Barnwell; Vindication of Sir William Berkeley; Will of Mrs. Mary Willing Byrd; Inventory of Robert Carter; Virginia Society of the Cincinnati; Epitaphs at Brandon; Trustees of Hampden-Sidney College; Jacobitism in Virginia; Abstracts of Virginia Land Patents; Letters of Lafayette; A New Clue to the Lee Ancestry; Letters of General Henry Lee; Sir Thomas Smythe's Reply to Bargrave; Virginia in 1623, 1623-4, and 1771; Virginia Borrowing from Spain; The Virginia Company and the House of Commons; Virginia Militia in the Revolution; Washington's Capitulation at Fort Necessity; Election of Washington (Poll List), 1758; Burning of William and Mary College, 1705; Reminiscences of Western Virginia, 1770-90, &c., &c., &c., with full index 5 00

VOLUME VII—Octavo, pp. 476-iv-xix.

Contains the following general list of principal Contents: An Additional Chapter to Waddell's History of Augusta County; Augusta County Marriage Licenses, 1749-73; Inventory of Estate of Hon. Robert Carter: Extracts from Register of Farnham Parish, Richmond County, Va.; Trustees of Hampden-Sidney College; Indians of Southern Vir-

ginia, 1650–1711; John Paul Jones, as a Citizen of Virginia; Abstracts of Virginia Land Patents; The Case of Captain John Martin; Papers Relating to the Administration of Governor Nicholson and to the Founding of William and Mary College; Richmond During the War of 1812; Virginia Census of 1624–5; Virginia in 1624–30—Abstracts and Copies rom the English Public Records; Virginia Game and Field Sports, 1739; Virginia Militia in the Revolution; Unpublished Letters of Washington; Wills, Genealogies, Notes and Queries, &c., with a full index. **5 00**

VOLUME VIII—Octavo, pp. 481-iv-xxvii.

Contains the following general list of principal Contents: The Indians of Southern Virginia; The Virginia and North Carolina Boundary Line, 1711; Inventory of Lord Fairfax; Letters from Mrs Ralph Izard to Mrs. Wm. Lee; Virginia in 1631-35, from English Public Records; Papers Relating to the Administration of Governor Nicholson and to the Founding of William and Mary College; Notes from the Council and General Court Records, 1641-77; Unpublished Letters of Jefferson; Extracts from Virginia County Records; Letters of Harrison Gray and Harrison Gray, Jr.; Members of the House of Burgesses, Lists; Militia Companies of Augusta county, 1742; Petitions of Virginia Towns for Establishment of Branches of the United States Bank, 1791; Virginia Newspapers in Public Libraries; Life of General Joseph Martin; Register of St. Paul's Parish, King George county; Proceedings of the House of Burgesses, 1652-1661; Delegates from Kanawha; Ter-Centenary of Jamestown; Virginia Militia in the Revolution; Wills, Epitaphs, Genealogies, Notes and Queries, Book Reviews, &c., with a full index. **5 00**

VOLUME IX—Octavo, pp. 480-iv-xx.

Contains the following general table of principal Contents: Virginia Newspapers in Public Libraries; Papers Relating to the Administration of Governor Nicholson and the Founding of William and Mary College; Virginia in 1636-38, from the English Public Record Office; Notes from the Council and General Court Records, 1641-1678; Virginia Assembly of 1641; Selections from the Campbell Papers; Virginia Militia in the Revolution; Will of William Byrd, 3d; Eastern Shore History; Letters of William Byrd, 2d; Henry County, Virginia, Records; Diary of a Prisoner of War at Quebec; Sainsbury's Abstracts and the Colonial History of Virginia; Abridgment of the Laws of Virginia, 1694; The Germans of the Valley; Virginia Legislative Documents; John Brown Letters; History of the Battle of Point Pleasant; Wills, Genealogies, Notes and Queries, Book Reviews, &c., with a full index. **5 00**

VOLUME X—Octavo, pp. 480-xvi-x.

Contains the following general table of principal Contents: Virginia Legislative Documents; John Brown Letters; The Germans of the Valley; Abridgment of Virginia Laws, 1694; Eastern Shore History; Extracts from Records of Henry County, Va; Batttle of Point Pleasant; Ferrar Papers, from Magdalene College, Cambridge; Pioneer Days in Alleghany County; Tithables of Northampton County, 1666; Virginia Newspapers in Public Libraries; Slave Owners of Westmoreland County, 1782; Virginia in 1636-'38, from English Public Record Office; Virginia Gleanings in England (wills, &c.); Virginia Militia in the Revolution; Virginia Committee of Correspondence, 1759-'67; Virginia Finances, 1776-'90; Virginia Colonial Records; Books in Colonial Virginia; Wills, Genealogies, Notes and Queries, Book Reviews, &c., with several illustrations and fac-similes and a full index. **5 00**

VOLUME XI—Octavo, pp. 490-iv-xxv.

Contains the following general table of principal Contents: Proceedings of Va. Committee of Correspondence, 1759-64; John Brown Letters; Surrender of Virginia in 1651-2; Ferrar Papers at Magdalene College, Cambridge; Virginia in 1638-39 from the English Public Records; Some Colonial Virginia Records; Virginia Gleanings in England (wills); Isle of Wight County Records; Virginia Militia in the Revolution; Records of Henry County, Va; Moravian Diaries of Travels Through Virginia, 1743, &c; Virginians Governors of Other States; The "Chesapeake War;" Orderly Book of James Newell, Pt. Pleasant Campaign, 1774; The Site of Old "James Towne," 1607-98; Council and General Court Records, 1640-41; Vestry Book of King William Parish (Huguenot), 1707-50; Jamestown and the A. P. V. A.; Prosecution of Baptist Ministers 1771-73; Wills, Genealogies, Notes and Queries, Book Reviews, &c., with several illustrations, fac-similes, and map, and a full index. **5 00**

VOLUME XII—Octavo, pp. 487-iv-xxxii.

Contains the following general table of principal Contents: Proceedings of the Virginia Committee of Correspondence, 1759-70; Vestry Book of King William Parish (Huguenot), 1707-1750; The Site of Old "James Towne," 1607-1698; Moravian Diaries of Travel Through Virginia, 1747 &c.; Virginia Gleanings in England (wills); Extracts from Virginia County Records; Letters of Jefferson, &c., in McHenry Papers; Virginia Militia in the Revolution; The Early Westward Movement of Virginia, 1722-34, as shown by the Virginia Council Journals; Virginia in 1639 abstracts and copies from English Public Record Office; Virginia Legislative Papers 1774; Address of Council, 1713, and Resolutions of Burgesses, 1712; Wills, Genealogies. Notes and Queries, Book Reviews, with several illustrations, plans, fac similes, &c., and a full index. **5 00**

Volume XIII—Octavo, pp. 506-iv-xxxii.

Contains the following general table of principal Contents: Early Westward movement of Virginia, 1722-34, as shown by the Virginia Council Journals; Virginia Militia in the Revolution; Virginia and the Cherokees &c. the Treaties of 1768 and 1770; Virginia Legislative Papers, 1774-75; Virginia Gleanings in England (Wills); Vestry Book of King William Parish (Huguenot), 1707-50; How Buchanan was made President; Letter of John Paul Jones; The Treaty of Lancaster, 1744; Journal of the Treaty of Loggs Town, 1752; Treaty between Virginia and the Catawbas and Cherokees 1756; Commission to Governor Yeardley, 1625-6; Revolutionary Army Orders for the Main Army under Washington, 1778-79; Virginia in 1639-40, from the English Public Records; Council and General Court (Va.) Records; Letter of Col. R. K. Meade; Memoranda from the Fredericksburg Va., *Gazette*, 1787-1804; Carriage Owners in Gloucester Co. 1784; "History in its Relation to Literature" Address by Prof. W. P. Trent; Wills Genealogies, Notes and Queries, Book Reviews, with several illustrations, and a full index. **5 00**

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THE VIRGINIA MAGAZINE

OF

HISTORY AND BIOGRAPHY.

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WILLIAM G. STANARD.

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THE

VIRGINIA MAGAZINE

OF

HISTORY AND BIOGRAPHY.

VOL. XIV. OCTOBER, 1906. No. 2.

JOURNALS* OF THE COUNCIL OF VIRGINIA IN EXECUTIVE SESSIONS, 1737-1763.

(From the Originals in the Virginia State Archives.)

(CONTINUED)

[June 15, 1738.]

Gilbert Elam having petitioned for a Grant of four hundred acres of Land lying on Deep Creek in Henrico County Surveyed

*The following corrections should be made to a note in the last number of the Magazine, note 30, p. 30:

Smith's River, which rises in Patrick county, and in the locality of Wart Mountain, was then called the Irvine River, and is altogether a different stream from either the North Mayo or South Mayo Rivers. The two Mayo Rivers unite in the south-western corner of Henry county, and by the name of Mayo River enter the Dan River at Madison, N. C.

Irvine or Smith's River empties into the Dan River at Leaksville, N. C., some fifteen miles below Madison. The Mayo Rivers, if I am not mistaken, took their name from William Mayo, one of the surveyors with Colonel William Byrd in running the dividing line between Virginia and North Carolina in 1728.

The "Wart Mountain," now called Buffalo Knob, is near the Patrick, Floyd and Carroll lines and is very *much* spoken of by Captain J. F. D.

long since for James Hill & no patent sued out for the same pursuant to the Orders of the Government, the said Hill this day appeared by his Council & insisted that he ought not to answer to this petition because he acknowledges that he hath no patent nor was the Land ever Surveyed for him & therefore he is not within the meaning of the orders of Government but is an intruder on his Majesties Land & ought to be prosecuted as such for as much as it was this day made appear to the Board that the said Land hath been Surveyed & the boundaries thereof plainly mark'd. It is Ordered that the Petitioner have a patent for the same upon his producing in the Secretarys Office a Copy of the Survey & entring Rights.

On hearing this day at the Board the matter in dispute between Richard Moseby &, William McKay for four hundred Acres of Land in the County of Goochland Surveyed for the said McKay two Years and a half agoe but the Surveyors ffee not paid by him & thereupon reentered by the said Richard Moseby & a debate arising whether a Surveyor is bound to deliver a Platt & Survey until he has received his ffee or Security for the same. It was Resolved on the question That where a Surveyor has laid out & Surveyed a tract of Land & make out a Platt thereof he is not bound to deliver such Platt to the Person employing him in order to obtain a Patent without Payment for such Survey or good Security tendered him for the payment thereof where such Officers fees are payable. But for as much as it appears to this Board that the Defdt. McKay hath been by unavoidable accidents Obstructed in suing out his Patent, It is

---

Smyth in his "Travels Through Virginia" (1774) as "the most considerable of the Blue Ridge Mountains for height as well as for its amazing extent of perspective," * * * "contemplating whereon filled his eye, engrossed his mind and enlarged his soul, totally absorbing his senses, overwhelming his faculties, expanding even his grandest ideas beyond all conceptions, and occasioning him almost to forget that he was a human creature."

We are indebted to C. B. Bryant, Esq., of Martinsville, Va., for the correction given above.

Page 26, John Osheal. David Osheal, of Nansemond county, was, in 1737, chosen recorder of Norfolk in the place of Sir John Randolph, deceased (*Virginia Gazette*, April 22, 1737).

Ordered that he be at liberty to sue out the same until the end of next General Court & that Mosebys Petition be dismist.

On reading at this Board the Petition of Benjamin Walker Gent in behalf of himself & many other Inhabitants of St. Margarets Parish [Caroline county] Complaining that John Brunskill* Clerk Minister of the said Parish hath neglected to perform Service at a Chapple of ease built several Years agoe for the conveniency of a great Number of ffamilies living remote from the Church of the said Parish & refusing to preach or read prayers there as by law he is obliged. It is Ordered that Mr. Brunskill attend this Board on the second day of next Gen'l Court to answer the said complaint.

Benja. Walker Gent. having complained to this Board that the Inspectors at Roys & Conwayes Warehouses in Caroline County have greatly neglected their duty, that they refuse to give Transfer Notes for Stem'd Tobacco & make Sale thereof or oblidge the Persons who receive it to allow them ten fifteen & sometimes twenty p. Cent. That the Inspectors at Roys take little care of Tobacco either before or after it is passed, and that one Inspector commonly passes the Tobacco brought thither And praying redress therein. It is Ordered that the Court of Caroline County do forthwith appoint two or more of their Number to meet at such time & place as they judge most convenient to examine into the several matters contained in the said Complaint and make Report of their Proceedings to this Board.

At a Council held at the Capitol, July the 31st, 1738.

PRESENT:

The Governor

Mr. Com'y Blair	John Custis &
John Grymes	Philip Lightfoot, Esq'rs

---

*St. Margaret's parish was probably formed in 1713 when St. Mary's was divided. Meade states that Rev. John Brunskill was minister of the parish in 1754 and 1758.

The *Virginia Gazette*, Sept. 8, 1738, announces the death "last Monday was Se'nnight," at his house in Caroline county, of Mr. Benjamin Walker, who for several years had practiced law with distinction in the county courts and who, at the last General Court, had been admitted to plead there.

The Accompt of his Majestys Revenue of Quitrents rec'd for the year 1737 being prepared by the Receiver Gen'l & examined by the Auditor was sworne to by the Receiver Gen'l and Certifyed as usuale by the Gov'r in Council.

Mr. Benj'n Edwards hath Leave of this Board to purchase of the Nottoway Indians a Tract of 400 acres of Land in Asscanousack part of the land appointed to be sold for paym't of their debts.

At a Council held at the Capitol the 26th day of Oct., 1738.

PRESENT:

The Hon'ble William Gooch his Maj'ties Lieu't Governor.

Mr. Commissary Blair	John Carter
Wm. Byrd	John Grymes
Cole Digges	Wm. Dandridge*
John Robinson	John Custis
William Randolph	John Tayloe
Philip Lightfoot &	Thomas Lee Esq'rs

His Majesty's Warrant for granting to Edward Banadale

---

*William Dandridge was living at Hampton, Va., in 1717, where he was a ship owner and probably a merchant. In 1719 he is described, in a deed, as "late of Hampton, now of King William county, gent." In 1727 he became a member of the Council, and on December 14th of that year was appointed one of the commissioners on the part of Virginia to settle the boundary line with North Carolina. He was for a number of years an officer in the English navy, and probably served before 1737, but of that service we have no record. In the *Virginia Gazette*, March 11–18, 1736, it is stated that "Its currently reported here by Persons who lately arrived from *London*, that Col. *William Dandridge* is very shortly to have the Command of one of His Majesty's Ships." In the issue of Sept. 18, it is stated that Captain Dandridge's sailing from England had been somewhat delayed, and that the Duke of Montagu had presented him with a fine sword. This handsome weapon, bearing the inscription on the blade: "April, 1738. This Sword was presented by his Grace John Duke of Montagu, to Capt. Wm. Dandridge," is now the property of his descendants, the family of the late Captain Francis West Chamberlayne, C. S. A., of this city, and, together with Capt. Dandridge's portrait, has been deposited with the

Esq'r the Office of Attorney Gen'l was this day read in Council and ordered to be entered in the Secretary's Office.

The Governor was pleased to nominate and appoint the following persons to be Sherifs of the undermentioned Countys for the ensuing year, viz :

For the County of Brunswick, William Macklin.
Isle of Wight, Thomas Jarrell.
King Wm., Joseph Temple.

John Robinson Gent. is appointed an Inspector at Kemps Warehouse in the room of Mr. Curtis dec'd & Anthony Sidnor an Inspector at Indian Creek in the room of Wm. Stepto who hath resigned.

Captain Goodwin M'r of the ship *Betty* of Liverpool lately built* in Elizabeth River representing that the said ship was built for the Maryland trade, and that he is bound thither as soon as she is rigged without carrying hence any goods or Merchandizes whatsoever and praying that he may have liberty to sail thither without being liable to the payment of Port dutys. It is accordingly ordered by the Governor in Council that if the said Ship proceeds Out of this Colony without taking on board any goods or Merchandizes, no port dutys be demanded for her

---

Virginia Historical Society. The Duke of Montagu was first lord of the Admiralty. In February, 1741, Captain Dandridge still commanded the *Wolf*, 12 guns, on the Virginia station; but in November of that year was transferred to the *South Sea*, 40 guns. He served in Oglethorpe's attack on St. Augustine, and Vernon's on Carthagena. Captain (or Colonel) Dandridge died in 1743, at his seat, "Elsing Green," King William county. He married first Euphan, widow of William Roscow, of Warwick county. She died in 1717, and her tomb bears her arms—Wallace—impaling *azure, a lion's head erased or, between three mascles argent.* These are the arms of Dandridge of Great Malvern, England. There appears to have been no issue by the first marriage. Col. Dandridge married about 1719, Unity, daughter and heiress of Nathaniel West, of King William county, a grandson of Governor John West. He has numerous descendants, both of his own and other names.

His brother, John Dandridge, was the father of Mrs. Martha Washington.

*There was a considerable amount of ship-building in Virginia during the Colonial period, but statistics as to its extent are lacking.

Of w'ch the Officers of the Customs in the Lower District of James River are hereby required to take notice.

Daniel Stonar Gent. is appointed one of the Coroners for the County of Goochland.

Mr. Thomas Howard having been sent to the Allaganie Indians* upon occasion of the murders committed by the Indians last summer on the People settled beyond Sherrando, this day made Report of his Negotiation there and brought in writing an Answer from the said Indians wherein they alledge that the said Murther was committed by the French Indians living on the Lakes, with a promise to bring in the persons guilty of that

*The *Virginia Gazette*, June 23–30, 1738, contains the following: "This week an Express came here from *Orange* County to the Governor to acquaint his Honour, That some *Indians* have lately murder'd Eleven White Persons, Men, Women and Children, who were settled far back on the frontiers of that County; and that 'twas believed they were *Alleganey Indians:* Whereupon his Honour was pleas'd to issue Commissions to Persons to go with arm'd Men in Pursuit of the *Indians*, and also to order a Messenger to go to the *Indian* settlement at *Alleganey*, to demand the Murderers, if they shall be found among them; and also gave such other Instructions and Orders as his Honour thought necessary for the Protection of the Frontier Inhabitants." And the same paper, July 14–21, adds: "We hear from the Frontier Counties, *Prince William* and Orange, that since our last Account of the Destruction of 3 Families of White People by the Indians, 4 more Families have been destroy'd by them; and that the whole Neighbourhood are under Apprehensions of greater Danger from the Indians, a great number of them being got together; but of what Nation I am not yet certainly informed." In a letter dated May 21, 1738, and printed in Kercheval, Thomas Chaulkley, the Quaker, speaks of the murder of the eleven persons, and says they were killed by the Indians because they had gone beyond the boundary agreed on between Virginia and the Indians.

This was the most serious massacre in Virginia since the days of Bacon's Rebellion, sixty-two years before. The "Alleganey Indians" were Shawnees. The reply, dated Aug. 4, 1738, which their chief, "living at Alleganey," sent to the Governor is printed in the *Calendar of Virginia State Papers*, I, 231–232. He expresses great friendship for the whites and abhorrence of the massacre; but gives a rather conflicting account of the perpetrators of it. In one part of his letter he says that the scalps were brought to his town by "Chepoays," who lived beyond "Lake Avey" [Erie?], and in another, that he suspects the mischief was done by the Catawbas.

Crime. And upon consideration of the Acco't of expences exhibited by the said Howard on this Service, It is Ordered that there be paid out of his Ma'tys Revenue the sum of twenty pounds for his personal trouble, Eight pounds to each of the five men that accompanied him besides his Expences and for a horse lost amounting in all to £16.10.

The Acco't of disbursements for the Governor's house, and the Acco't of contingent Charges for the last half year were severally examined and allowed.

Mr. Samuel Baron having laid before this Board the Acco't of Charges about the Fort* at Point Comfort. It is Ordered that

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*A fort called Fort Algernon was built at Point Comfort in 1608. Throughout the seventeenth century this fort seems to have existed in an uncertain fashion—sometimes in repair, manned and equipped, and sometimes falling to decay. Frequent notices of it occur in *Hening*, I and II. About 1736–38 the fort was again rebuilt and placed under the command of Captain Samuel Barron, who had probably seen military service. It is stated (*Virginia Historical Register*, I, 24) that in 1749 a great hurricane totally destroyed the fortifications. Among the manuscripts in the collection of this Society is a letter dated March 22, 1847, in which Dr. Robert Archer (afterwards of this city), who as a surgeon U. S. A. was long stationed at Fort Monroe, complied with a request which had been made by the Virginia Historical Society, and gave an account of old Fort George, which had stood on part of the site of the modern fort. Dr. Archer says:

"The front lines only and part of the flanks are now visible, the rear lines having been obliterated by the excavation of the ditch of Fort Monroe: so that it is now impossible even to surmise what the form of the work was. * * * It was built of brick and shell lime, and judging from the quality of the materials and character of the masonry, the contractor executed his work most faithfully. * * * The bricks appear to have been home made, they were well burned but rough, nine inches long, four wide and three thick.

"Fort George consisted of an exterior and interior wall about sixteen feet apart, the exterior twenty-seven and the interior sixteen inches thick. These were connected by counterports ten or twelve feet apart and forming a system of cribs which were no doubt filled up with sand. The foundation of the work is three feet below the present level of the sand at the Lighthouse. * * * The front lines bear a remarkable coincidence with those of Fort Monroe in their rear."

Dr. Archer then describes an iron signet ring lined with silver, which was found some sixteen or seventeen years before he wrote in the rubbish

there be paid him at present two hundred pounds, and that the sum of two hundred & six pounds to compleat the whole of his Expences in erecting the breast works and Parapet of the s'd Fort be paid him at the Oyer & Terminer Court next June.

On reading this day at the Board the petition of Wm. Byrd Esq're praying further time for seating & saving the land granted him on Roanoke River for the settlement of a number of Swiss protestants who he is advised are now at Sea, further time for one year is accordingly him for bringing the said Switzers upon the land aforesaid since it may be impracticable for them to go thither to dwell during the ensuing Winter. ["Granted," written on margin.]

Whereas it appears to this Board that the Inspectors at Roys Warehouse have pass'd a hogshead of Tobacco w'ch is unmerchantable and doth not contain the quantity stamped thereon, and divers other complaints being made ag't them for misdemeanors in their Office. It is Ordered that the s'd Inspectors be removed from acting any longer in that Office.

Whereas Mr. David Bell this day represented to the Governor & Council that one Mr. John Wilson Merchant some time last Summer purchased of Mr. Daniel Hornby of Richmond County a considerable quantity of Tobacco lying at Wicocomico Warehouse & pass'd by the Inspectors there, That upon sending for the said Tob'o in order to be Shipt in James River the said Wilson discovered that the said Tobacco was unfit for any Market being nothing but meer Trash & thereupon Ordered the same to be landed at Maycocks Warehouse on James River where it yet lies. And praying relief therein, It is this day Ordered that the said Tobacco be viewed and examined by the Inspectors at Maycocks Warehouse on the 10th of Nov'r next & that the said Inspectors at Wicocomico Warehouse have notice to attend by themselves or such as they shall depute to be present on their behalf at the said Examination. And that a Report be made by the said Inspectors at Maycocks Warehouse in what condition they find the said Tobacco & whether

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of the old fort. The arms on the seal were: *A bear rampant arg, holding in his paws a globe (or heart) surmounted by a cross.* Crest. *An eye with wings conjoined.*

the same be merchantable or not to the end this Board may be enabled to judge whether the Inspectors of Wicocomico have been guilty of a breach of their duty & that the person injured may be put in a proper way to obtain a recompence for his damages.

On reading this day at the Board the Complaint of James Wood* Gent. Surveyor of Orange seting forth that Maj'r Robert Brooke† hath lately taken upon him to Survey divers great Tracts of Land on the other side the great Bridge of Mountains within the Bounds of the s'd Woods commission to his great prejudice & loss in his Office. It is Ordered that the Clerk of the Secretarys Office receive no Surveys made by the said Brooke or any other Person beyond the great Ridge of Mountains in order to make out Patents thereon & that no person whatsoever other then the proper Surveyor do presume to make & return any Surveys of Land lying out of the Precincts whereof he is Constituted Surveyor.

At a Council held at the Capitol the 7th day of Nov., 1738.

PRESENT:

The Governor

Mr. Commissary Blair	John Custis
John Robinson	Wm Randolph
John Carter	John Tayloe
John Grymes	Philip Lightfoot &
	Thomas Lee Esq'rs

The several following Warrants on the Receiver General for

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* James Wood was long a man of prominence in the western portion of the colony. He was clerk of Frederick county, from 1743 to 1760, and may be regarded as the founder of Winchester. He was the father of Col. James Wood, a distinguished officer of the Revolution, and Governor of Virginia. See Hayden's *Virginia Genealogies*, 428-437.

† Robert Brooke, a noted surveyor, probably surveyed and mapped most of the very early land grants in the Valley of Virginia. He was a member of a family since greatly distinguished in the service of the State of Virginia and the United States. The Virginia Historical Society has just had cause to lament the death of one of his descendants, Robert T. Brooke, who had been for many years an active and useful member of its Executive Committee, and its able and efficient treasurer.

payment of the established Salarys and contingent charges were signed by the Governor in Council viz :

To the Governor for half a years salary ending the 25th of October last	£1000. —. —
To the Gentlemen of the Council for the same time	300. —. —
To the Judges & Officers of the Court of Oyer & Terminer held in June	100. —. —
To the Auditor General of the Plantations half a years Salary	50. —. —
To the sollicitor of the Virginia affairs for the same	50. —. —
To the Attorney Gen'l for the same	35. —. —
To the Cl'k of the Council	50. —. —
To the Ministers attending last General Court	6. —. —
To the Armourer	6. —. —
To the Gunners of the several Batterys	23. 10. —
To Wm Prentis for repairs about the Governors house	77. 11. 10
To the same for Contingent charges for the last half year	734. 6. 0¾
To John Grymes Esq'r for ball'ce of the late Adjutant Gen'ls salary	53. 16. 8
And out of the Quitrents	
To Mr. Commissary Blair half a years salary	50. —. —
To the Attorney Gen'l half a years additional salary	35. —. —

The Acco't of his Maj'ties Revenue of 2 sh. p. hhd. Port dutys and head money being examined by the Auditor was this day sworn unto by the Receiver Gen'l and Certify'd by the Governor in Council.

Order'd That a new Commission of the peace issue for the County of Westmoreland and that Daniel McCarty Gent. be restored to his former place in the said Commission.

On hearing and considering the allegations in the Petition of William —— [——to the surveyor of Orange County to inquire if the land be ent'd by any other persons and if not to survey 1600 acres for the p'te.]

Whereas upon hearing the Memorial of Henry Willis Gent. in behalf of ——— Franciscus* ag't Jacob Stover for stoping a Patent for One thousand Acres of Land sued Out for the said Stover adjoining to a former Tract surveyed for him on Sherrando River in the County of Orange, it appears by the testimony of James Wood surveyor of the said County that the former Surveyor being interrupted by a fresh or Flud of water while he was surveying the s'd Stovers land set a course at a Venture to include the dwelling house and Plantation of the s'd Stover and that upon Resurvey the s'd dwelling house and Plantacon adjoining is not comprehended within ye bounds of that Survey, but the s'd Stover being ignorant thereof did convey to the s'd Franciscus 3000 Acres of Land including the s'd house and plantacon w'ch upon examination are found to ly out of the bounds thereof. Yet that the s'd Stover being desirous to convey his said dwelling house & Plantacon to the s'd Franciscus according to his agreement made a new Entry for a Tract to include the said house & plantation to the end he might be enabled to pass the fee simple thereof to the s'd Franciscus according to his agreement Agt. wch the s'd Franciscus by Colo. Henry Willis his Attorney hath caused a Caveat to be ent'd. It appearing to this Board that the said Stover hath acted honestly and candidly in the Sale aforesaid, It is ordered that he have a patent for the said One thousand Acres of Land Upon his conveying or giving bond to convey unto the said Franciscus the s'd dwelling house and Plantation & as much of the

* Christopher Francisco settled in the present Lancaster county, Pa., prior to 1710. His name indicates an Italian origin. He was a native of Switzerland and is said to have been a man of unusual daring and courage. He was naturalized in 1729. (Rupp, *History of Lancaster county, Pa.*, pp. 79, 86–87, 126).

Two of his sons, Christopher, Jr., and Ludowick, settled on the land mentioned in this Order. The latter was in 1756 a captain of militia in Augusta county (Waddell, *Annals of Augusta County*, 1902, p. 137).

The tract conveyed to Christopher Francisco commenced at the point where Cub Run empties into the Shenandoah and extended up that stream nearly to present Port Republic. (See deed of Jacob Stover and Christopher Francisco, recorded at Orange Va., June 25, 1741.) This Order indicates that Jacob Stover's home was on the Shenandoah in the vicinity of present Lynwood, Rockingham, county, Va.

Land contained in his former Patent as will make the whole three thousand Acres including the s'd dwelling Plantation pursuant to his agreem't with the s'd Franciscus.

On reading this day at the Board the humble Petition of Wm. Thompson* seting forth that some time agoe he with his ffamily & three other ffamilies of his Relations Entered with the Surveyor of Orange County for sixteen hundred Acres of land in four Entrys & made considerable improvements thereon intending as soon as he could procure a Survey thereof to take out Patents for the same but having been long visited with sickness was unhappily prevented until one Richard Tunstall† Gent Ob-

*This land lay on Middle River in the eastern porton of Augusta county. By deed dated February 10, 1745 William Thompson conveyed to James Craig 305 acres of land on the northwest side of Middle River, opposite Hugh Thompson's land. (Augusta county records, B. B. 1 1, p. 30.) This locality is in the immediate vicinity of present Mt. Meridian, Augusta county. William Thompson received on September 22, 1739, a grant of 400 acres in Orange in a fork of Sherrando river between Middle river and the north fork of Sherrando. (Va. *Land Books*, 18, 371, 374). He also received three other grants of 400 acres each in the same neighborhood.

†Tunstall is an old Virginia family whose early records have been much impaired by the destruction of the records of Charles City, New Kent and King and Queen counties. "Mr. Edward Tunstall" patented land in Henrico in ———. He was a Burgess for Henrico in 1639, and in 1638 is mentioned as owning land in Charles City on the south side of Appomattox. In 1649 "Mr. Tunstall" owned land at the same place. In 1667 the land on which King and Queen courthouse was afterwards situated, was granted Richard Tunstall. In 1691 Edmund Tunstall and wife conveyed one acre of this land to the county. This Edmund Tunstall left a widow Catherine, who in 1707 was the wife of Richard Wyatt, and three daughters, Mary who married Thomas Fox, Catherine who married Samuel Matthews and Barbara. Richard Tunstall was deputy clerk of Essex in 1721, 1722. Richard Tunstall clerk of King and Queen 1739, 1742. Richard Tunstall was a Burgess for King and Queen 1766, 1767, 1768, chairman of the Committee of Safety of that county 1774, and county clerk 1777. Richard Tunstall, Jr., was a member of the King and Queen Committee of Safety 1774, and clerk of that county 1782. John Tunstall, Jr., was clerk of the King and Queen Committee of Safety in 1774. In 1774 Thomas Tunstall had been for many years deputy clerk of Halifax county. William Tunstall lived in Pittsylvania county in 1768-70. Col William Tunstall was county lieutenant of

tained a Grant for a large quantity of Land adjoining to the Lands of William Beverly Gent. threatning to include the Pe-

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Henry for several years during the Revolution, resigning in the spring of 1780. Col. Richard Tunstall, the Burgess for King and Queen, died prior to 1782, leaving by his marriage with Anne Hill, issue as follows: I. Richard, Jr., died 1792; II. William, died 1795; III. John married a daughter of Joseph Temple and died in 1796; IV. Thomas; V. Leonard; VI. Elizabeth; VII. Anne; VIII. Catherine; IX. Hester; X. Hannah married Col. George Brooke, of "Mantapike." John and ——— (Temple) Tunstall had issue: I. Joseph married Jane ———, and had Temple and others; II. Anne married John Bell; III. Sarah married John Rogers; IV. Richard married Catherine, daughter of Col. George Brooke and had George, Alexander and Anne.

The following grants to Tunstalls appear in Land Books:

(1). Edward Tonstall 450 acres on Appomattocke River, in Henrico County, adjoining Henry Miller, due as follows: 150 acres for his own personal adventure, and for the importation of two persons, and 300 in right of his "now wife" Martha, due to her from her former husband Nicholas Greenhill. March 21, 1636.

(2). Edward Tunstall, gent., 150 acres in Henrico at the falls of Appomattox. June 5, 1639.

(3). Edward Tunstall, gent., 150 acres in Henrico at the falls of Appomattox. Aug. 10, 1642. A regrant of the patent of 1639, and again renewed Aug. 2, 1643.

(4). Richard Tunstall 1,368 acres in New Kent county, on the north side of Mattapony River, 500 acres thereof "called by the name of Aquemtenocke," formerly granted to Col. Robert Abrahall and by him assigned to said Tunstall, and 200 lying at the back of the land of Richard Barnehouse, "The Beaver Dam of Aquemtenocke Swamp" is mentioned. April 25, 1667.

(5). Richard Tunstall, Jr., 400 acres in St. Stephen's parish, New Kent, in Mattopony freshes. Among the boundaries were the "Town Branch," his own land, an "Indian path," and the lands of Price, Ball, Col. Goodrich and Captain Smith. Oct. 30, 1686.

(6). Edward Tunstall 700 acres in St. Stephen's parish, New Kent, "ye horse path" mentioned as a boundary; adjoining the lands of Mr. Ascough, William Nicholls, Thomas Wright and Captain Smith. Oct. 30, 1684.

(7). "Mr. Stephen Bembridge" of Rappahannock county, and "Mr. Richard Tunstall" of New Kent county, 8,500 acres in New Kent in the freshes of Mattapony back in the woods, adjoining the lands of Robert Bagbye, William Herendon, Captain Josuah Story and William Morris. A tree near "Portobacco path" is one of the boundary marks. Due for the transportation of 170 persons. October 13, 1686.

titioners Settlem't within his new Grant whereby he & the other three ffamilies will be deprived of all their Settlements & Improvements to their utter ruin And praying releif therein. It is therefore Ordered that the case of the Petitioner be referred to the Surveyor of Orange County to enquire if the Sixteen hundred Acres of Land aboved mentioned be Entred for by the said Tunstall or any other Person & and if not that then he return a Survey thereof for the Petitioner & his other Partners & that Patents be granted them thereon.

(TO BE CONTINUED.)

VIRGINIA LEGISLATIVE PAPERS.

FROM ORIGINALS IN THE VIRGINIA STATE ARCHIVES.

(CONTINUED)

JOHN CARTER TO MR. TAZEWELL.

Wmsburg, Augt. 2d, 1775.

John Carter to Mr. Tazewell.

Dr. Sir: We have very little news at present tho' we had a report yesterday that two Sloops were arrived at Hampton Roads full of men & some of them Blacks its said from St. Augustine tho' at present have heard nothing more of them.*

This is to request the favour of you to speak to the Treasurer for me & the other Gentn. of your acquaintance to appoint me pay-Master, as no one will be more punctual than I shall be in that office, Your answer when convenient will oblige

Srs, Your mo. hble Serv't.

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*On June 6, 1775 Lord Dunmore had taken refuge on the *Fowey*, man-of-war lying off Yorktown. Negotiations were kept up between the Governor and the House of Burgesses until June 17th, when that body adjourned. Not long afterwards Dunmore issued a proclamation calling all loyal persons to his standard. He rallied a band of tories, runaway negroes and British soldiers, and a petty warfare soon began.

W. R. W. CURLE TO CHAIRMAN WILLIAMSBURG COMMITTEE.

Hampton, Aug 11th, 1775.

W. R. W. Curle* to the Chairman of the Committee of Williamsburg.

Sir: The inclosed Let'r [not found] I received this morning from Colo. Hutchings and Capt. Phripp of Norfolk with a Request to forward it to the Volunteers at Williamsburg.

Those Gentn. informed me that seven Officers arrived the night before the last in Hambletons Brig from Boston but as far they cou'd learn no men were expected to follow them.

I am &c. &c.

CHESTERFIELD† PETITION.

August 20, 1775.

To the Honourable The President and Gentlemen of the Convention of the Colony of Virg'a.

The Petition of the Freeholders and Inhabitants of the County of Chesterfield Humbly showeth, That agreeable to the Eleventh Resolution of the Continental Congress, The Deligates of this County Proceeded to the Election of a Committee for said County. In a short time after being Resolved on by the Honourable Congress, with a Design to bring the people into the measures of associating, As well as doing the other Business to them Recommended, for which reasons, but very few had it in Their Power to Vote in the choice of the Committee, at that time not well understanding what they ware to do, or the Intent of associating, and then not being associates, by which means Some Persons Was by the then Few Voted in, that we by no means can think propper, we now conceiving that the Committee are to Do business of much Greater Importance, then we could possibly then

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*William Roscoe Wilson Curle, a native of Elizabeth City County, was a member of the Convention of 1776 for Norfolk Borough, and in 1779 was appointed a judge of the Court of Admiralty.

†This petition was presented to the Convention on August 23, and was laid on the table. The Convention adjourned on the 26th without taking any action in regard to it.

conceive We humbly Pray that it may be Dissolved before they proceed to further business, another Elected To Execute and do all things that you in your wisdom shall think proper that we may have no Devissions amongst us, but all unite and be as one man in the Critical Time in the great & Common Cause, and we in as duty Bound shall ever Pray &c.

August 20. 1775

Edw'd Mosely,
Gordon Anderson,
Wm. Flournoy, Jr.,
Mathew Turpin,
William Rux,
Henry Branch,
Rich'd Wilkinson,
Leonard Cheatham,
Jas. Elam,
Creed Haskins—10
William Hill,—20
Francis Putnam,
——— Cheatham,
Jas. White,
Jesse Trayler,
John Ellis,
Nathan Sims,
Barkley Elam,
Joel Folkes,
William Rucks,
Henry Cox,
Saml. Cheatham,—30
Henry Burton,
John Garrott,
Jas. Gater, Senr.,
Richd. Bearbuck,
Elam Harmer, Jnr.,
James Bucke,
George Raibourn,
Jno. Caldwell,
James Sims,—40
William Robertson,
Wm. Rudd,
Hezekiah Turpin,
Haly Talbott,
George Cleborn,
Alexander Mosely,
Alexander Bass,
Thos. Bass,
Thos. Bass, Jr.,
Benj. Bayley,
Thos. Rudd, Jr.,
William ———
John Hill,
George Robertson,
Jeffrey Robertson,
Hennery Turpin,
John Baker,
Thos. Cheatham,
John Robertson,
Joseph Kopen,
John Woldridge,
Edwd. Branch,—60
Thomas Rudd, Senr.,
Henry Bass,
Arthur Moody,
Jonas Cleborne,
Archibald McRobert,
Josiah Tatum,
David Nunnellee,
Morgan Lester,
James Ball,

Francis Lockett,	Henry Winfrey, Sen.,—70.
Thomas Bowls,	Edward Osborne, Sen.,
Collins Goding,	Valentine Winfrey,
Jerem. Nunnaly,	John Stringer,
Morcas Gilkington,	Edwd. Anderson.

ARCHIBALD INGRAM,* ENGLAND, TO JAMES INGRAM, NORFOLK.

Extract of a letter from Archibald Ingram, of England, dated Stratford Le Bow, Essex, Aug. 30, 1775, to his brother, James Ingram, of Norfolk:

It is supposed that the forfeited Estates in America will be sold by Commissioners to the highest Bidders in order to defray the expenses of Quelling the Rebellion if that takes place I intend with many others to become a purchaser & spend the Remainder of my Life in a Retirement if possible near to you but if no place is in reach near you, I must go farther to the northward however in that I'll be advised by you and beg the favour of a few lines that is to say if you dare Write on such a subject for we are told here that your Letters are liable to be intercepted by the people calling themselves Committees, if it is so pray hazard no offence or Inquiry on my acct. You will no doubt expect from me something of news but I must refer you to the

*This is the first of a number of letters written to and from Norfolk and Portsmouth merchants, almost to a man loyalists, which were intercepted by the Revolutionary party. They give a valuabe light on the state of opinion on the loyal side, and give information in regard to occurrences in the neighborhood of the two towns. The *Magazine of History* (N. Y.), March and April 1906, contains an interesting series of letters from Norfolk tories, which escaped capture. They were from James Parker, William Aitchison and Jacob Ellegood, to Charles Steuart, of Edinburgh, who was for many years a merchant of Norfolk. It was in regard to Mr. Steuart's negro Somerset that Lord Mansfield, in 1772, delivered the opinion which freed negroes from slavery in England. In the *Lower Norfolk County, Virginia Antiquary* II, 24-33, 56-61, 79-81, 82-83, 132-138, in the charming recollections of Mrs. Maxwell published under the title "My Mother," will be found the account by an eye-witness of affairs in and about Norfolk at the beginning of the Revolution.

Newspapers which you have no doubt regularly out, however, I will acquaint you that last week there were held a very full privy Council on American affairs but every thing is kept a profound secret however it is Conjectured that it is resolved if the Rebellion is not Quelled by next spring that a sufficient number of Foreign Troops are to be procured into the Continent, that your Metropolis or seat of Government is to be removed to a seaport, that is, Philadelphia, New York &c are to be made Garrison Towns. 10,000 Hanoverians are already taken into British pay & are to sail next month for Gibralter & Minorca in room of Regiments to be relieved from their Garrisons to Ireland, some says the foreign troops are to be Russians others have it Hanoverians, Hessians Swiss &c and so go on thro' all the Allys of Great Britain but I think it most probable to be Russians because in case of a spainsh and French war the Empress may still be able to spare Troops whereas the other powers will want theirs to support their different . . . . . of Powers and at present the King of Prusia has the flowers of the Swis in his pay—How this unhappy affair will Terminate God only knows but most people here apprehend much Bloodshed as it appears the Americans are determined for an Independency & the Mother Country seems agreeably determined to reduce them to obedience and compell them by force to return to their Duty. My Manager writes me that we poor— Westindies are threatened with injuries & Inconveniences as well as Mother Country by these Damned American Committees & Associations.—

JOHN JOHNSON, PORTSMOUTH, VA., TO JAMES BALLENTINE, GLASGOW.

Extract of a Letter from John Johnson, of Virg'a, dated Portsmouth, Novr. 7th, 1775:

To James Ballentine Merct. in Glasgow—

It is to be hoped the Parliament will adopt the most vigorous measures for reducing the Americans to their allegiance and subjections should the Governor think he can defend Norfolk with the Forces he has got and the Militia he can command, I, among many others may be obliged to take the Field.

ROBT. SHEDDEN,* PORTSMOUTH, VA., TO ANDREW LYNN, GLASGOW.

Extract of a Letter from Robt. Shedden, of Virga., dated at Portsmouth, Novr. 21, 1775:

To Andw. Lynn Merch't in Glasgow—

I beg you will hurry out a Cargo of Goods Instantly. I think it is a favourable time to strike a bold strike just now & beg you embrace this opportunity depend upon it I will run you into no kind of Danger. If you insure the property from the Danger of the seas I will take care of it after it arrives here. I beg you will send me a large Cargo of Goods of all kinds and I will take care they shall turn to good acct. I beg you will hurry out J. Shedden in the Brig and send me as large a Cargo as you choose to adventure in, as Quick as possible.

ROBT. SHEDDEN, PORTSMOUTH, VA. TO JOHN SHEDDEN, GLASGOW.

Extract of a Letter from the same Gentleman, Dated Portsmouth, Nov'r 9th, 1775:

To John Shedden in Glasgow—

I would readily recommend your purchasing immediately on rec'pt of this large Cargo of Goods for the Brig and come out with them as soon as possible they will be in great Demand, I would bring out as many Goods as the Brig could carry at least Ten thousand pounds sterl'g worth if your credit will go so far, you may depend you will be protected and have a ready sale for them this must not be known & you need never let a soul

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* Robert Shedden in time suffered for his loyalty. On January 5, 1776, the Convention ordered the confiscation and sale of the sloop *Agatha*, which was the property of John Shedden of Norfolk and Robert Shedden of Portsmouth, stating that Robert Shedden, in violation of the non-importation Association, which he had agreed to and subscribed, had ordered his agents in Glasgow to ship him large quantities of goods. This was the unfortunate result to Mr. Shedden of his letter being intercepted. On June 10, 1776, a committee reported, with considerable detail, in regard to Robert Shedden, and offered a resolution, which was adopted, that Shedden should be confined to the part of Dinwiddie county, which was ten miles from the Appomattox River.

know but you intend for Bar—— If you were to find matters so circumstanced when you arrive here that you could not be protected and that you would ruin the . . . . you know you could then put for the West Indies—

Rob't Shedden & Co. may be Equally concerned in the adventure if it is agreeable to Wm. Lynn and you choose it. I think your will be among the first and depend it will be a favorable opportunity that shou'd not be miss'd to make something handsome. Peyton Randolph president of the Congress Died at Philadelphia of a Fit. J. Parker says he is very sorry for it that he did not Live long enough to be hanged.

C. WILSON, NORFOLK, VA., TO JOHN MCDONALE, GLASGOW.

Extract of a Letter from C. Wilson, Dated Norfolk, 10th Nov'r, 1775, to John McDonale, in Glasgow—

His Lordship conduct has met every approbation at home which must give him great Influence, and much will be in his power to serve his Friends when ever the storm is Blown Ever oblige me with a few lines under cover to L'd Dunmore who has allowed me to desire my Friends to send under his address.

JAMES BROWN, NORFOLK, VA., TO WM. BROWN, LONDON.

Extract of a Letter from Jno. Brown, Dated at Norfolk, Virg'a, 21st Nov'r, 1775, to William Brown, Merch't in London—

Norfolk, Virginia, Nov. 7th, 1775.

Dear Brother

I wrote you p. the two Sisters Capt. Mafwell 20th Sept. to which please be referred. Since, nor yet long before that time have I received any of your Letters. I impute this to the want of opportunities as no Ships from London has arrived here for some considerable time past. I would willingly embrace every Convenient opporty. of informing you of my Welfare, indeed I have reason to be thankfull I am in good health at present, as this goes by the last Vessel I know of for Britain (one Expected which may be ready in about a month or five weeks) I thought proper to inform you in what Situation things are now in here, occasioned by these unhappy Contests between the Mother

Country & this. I only mean to mention some of the Particulars as to do more would require a long narration & more room than I can spare; you wou'd no doubt hear that in the Month of June last our Governor was obliged to leave his Palace in W'sburg and take refuge on board his Majestie's ship the Fowey, Capt. Montague, laying at that time off York Town, at the time the Fowey left this for Boston his Lordship took into the Government service a Merchant Ship, where he has kept himself mostly since; the many efforts he has made to keep order & good Government in the Colony not pleasing the generality of the Natives of this Conntry, they are now risen in Arms ag't Government, their first act of Violence, I think happened on 2d Sept. when Capt. Squares* of the Otter Sloop of War, was cruising in one of the Tenders near Hampton on that day there was a most severe storm, and the Capt. was so infortunate as to be driven on shore, the people assembled and in place of giving the aid was due to men in their situation sett fire to the Vessell after taking what Guns &c she had and burnt her, the stores belonging to the King has been frequently demanded, but never granted, about two weeks ago Capt. Square with two or three Tenders he in one himself as the depth of the water wou'd not admitt of taking his ship went to Hampton to desire the people to deliver the materials as already Mentioned, but their being a number of men there and one of the Boats going too nigh the Town not perceiving any body was all on a sudden fir'd upon from out of the windows of whom when infortunately two men was kill'd & two wounded so that an open War is Commenc'd; their has been at W'sburg for weeks past several hundreds of men collected, their is now 'tis said about 13 or 1400, and almost daily increasing, their rights and Libertys they are, they say determined to defend ag't an abandon'd Ministry &c an affair happened lately here I mean in this Town, which has Incensed these lawless Banditts greatly against the inhabitants, some time ago was erected a press, but as it was under the di-

* Campbell, *History of Virginia*, 632, says that Captain Squires was cruising in James River, plundering the inhabitants and carrying off slaves. Later there were other skirmishes between Squires and the Virginians at Hampton.

rection of a mere Incendiary it was prostitute to the worst of purposes nothing being allowed to be printed but what made against Government in short they paid no respect to any person whatever, after abusing Capt. Square he wrote the printer to desist from such abuse, but he did not chuse to obey him at last . . . . on the Governer which . . . . his Lordship so that he ordered a party of men to come a shore & carry away the Printing Materials which was soon Effected the few natives that assembled on the occasion and took arms not coming to action or making the least resistance. What enrages these people at Williamsburg Va ag't this place is that we woud not join the few that made some shew of Resistance and prevent the types being taken away, a thing we had no concern with, they now look upon us as Enemies and has it seems often threatened to come and destroy the town which indeed their is a great probability off, as they seem to be men without reason and their being little force here to oppose them their is of the Kings ship lying in our River, two, viz. the King Fisher Capt. Montague, & the other Square, as likeways three large Merch'tmen taken into the service Including the one the Governor is in with about a dozen Tenders, the last mostly belonging to people hereabout there is of land forces between 2 & 300 which was sent for from St. Augustine of 14th Regiment. We are in hopes that we shall have more soon from Britain otherways 'tis to be feared we shall be in much danger, they have a great aversion to Scotchmen the natives of Country in general especially at this period, seeing them so backward to join them against Government; this is the sort of description of the distress we are Involv'd in not mentioning any thing of the hardships we suffer on account of the want of Trade &c &c which is at an entire stand— I am sorry I cannot make you Remittance; in short many people will not pay at any rate things with respect to debts being paid is turn'd as desperate as others as 'tis not uncommon for the man that asks to be knocked down or the like—

I am of opinion many of the Custom house officers throughout this Country who is not well affected to Government will be displac'd if I knew what was the proper method to take I wou'd be glad to make a trial of procuring a place, I believe these things is generally done by Interest at home if you might ap-

prove of this please exert yourself on my behalf w'ch I wou'd esteem as a particular favor & I must again beg leave to mention that if it is any way possible [to have the] few things I ordered for my own use, as under, that it may [be done]. A Settlement of matters yet appear to be at a great distance, probably some Transports may be coming here by [. . .] by whom p. haps they might be sent, the truth is they cannot be got in this Country at any price, pray if no oppy. offer otherways write me by the New York Packet, in that case it may be necessary to mention that the letters is frequently open'd by the Provinciales. Please acquaint my Father that I am well and believe me always to be with the greatest regard.

Dear Brother
Yours affectionately
GEO RAE.

½ doz mens plain thrd. Stockgs
½ doz " " Do "
3 pr. Rib & plain Silk Stgs.
25 yd. Linen with Cambric
4 pa Shoes & pumps
1 p Nankeen Breeches
3 Jackets of Gingham
1 Body Coat of broun Jean
1 Suit of Sup fine dark blue cloth
[. . . .] yds 9-8 Irish
1 Mans Hat fashionable } 16-16

£2.5:4

18 Nov'r The opp'y. not yet being gone, I think well to mention that on Tuesday last 14 Nov'r a Body of Rebels* being assembled at a place call'd Kemps Landing 10 miles from Norfolk to the number of 2 or 300. Lord Dunmore with about 150 men went ag't them when a slight Skirmish insued 6 or 7 of the Provincials was kill'd 2 drown'd 12 wounded 8 prisoners, one of his Lordships men was wounded in the knee, the Rebels after a fire or two Ran. our Governor has now Issu'd a Proclamation

* The affair at Kempsville, Dunmore's only military success, occurred on November 16, 1775.

and sett up the Kings Standard to which a good many has Resorted, all the Indented servants & Negroes that is able and willing to serve his Majesty belonging to the Rebels is declar'd free of which there is a great number in this Country, 'tis a great misfortune his Lordship has not a sufficient force to go ag't the Vast numbers of Rebels assembled in different parts for he is a brave man, 'tis a wonder some assistance is not sent him tis now affirmed the people mentioned within from W'sburg is now on their way down here if so God knows what may be the consequence. I will write you again in a month or 5 weeks w'h will be the last Ship I know off for britain. pray let me hear from you if you possibly can I am as above

(TO BE CONTINUED.)

THE GERMANS IN MADISON COUNTY, VA.

DOCUMENTS BEARING ON THEIR HISTORY.

Translated and Annotated by Prof. WILLIAM J HINKE, Ph. D.

[The following documents gathered from various sources, throw some light upon the history of the first German Lutheran Colony in Virginia.

The German immigration into Virginia began, as far as we now know, in the year 1714. In that year a colony of twelve German Reformed families was settled by Governor Spotswood at Germanna, to work his iron mines. They were followed in 1717 by a second colony of twenty German Lutheran families and these in term by a third colony of forty German families in 1719. The following documents deal with the second and third colonies, consisting mainly of Lutherans. They remained at or near Germanna until their term of indentured service, lasting eight years, was ended. Then, in 1725, they removed to the present Madison County, where they organized a German Lutheran congregation and later built a church, both of which have

continued to the present day, and are now known as the Hebron Lutheran congregation and church in Madison County. EDITOR.]

I.

Church Account.

Belonging to the Evangelical Lutheran Congregation of Spotsylvania County in Virginia, kept by Andrew Kercher, Church-warden of the said Congregation, begun January the first, 1733.

Dr. Money Received Anno 1733.

To money agreed on and given by each family for providing a minister	£ 2.	7.	0
To an offering made the second Sunday after Trinity at the first Communion . . .	1.	10.	0
To an offering made the thirteenth Sunday after Trinity	—.	15.	6
To an offering made the twenty-second Sunday after Trinity	—.	10.	3
To an offering made at Christmas . . .	—.	13.	3
To money delivered the 26th July by Ziriachus [Cyriacus] Fleishman one of ye collectors .	11.	3.	6
	16.	19.	6
Dr. for money received brought forward .	16.	19.	6
To money delivered by ye Collectors 9th ye 29th	25.	5.	0
To money delivered by Ziriachus Fleishman & Michael Smith ye collectors ye 19th of Feb., 1733	7.	14.	6½
To Sundry wares given to ye church & sold to ye minister	2.	19.	6
To ye like wares sold to George Shebley for .	—.	14.	3
To ye like wares sold to Zyriachus Fleishman for	—.	19.	6
To other wares sold to And'w Kercher for .	—.	19.	5
To 2 yards Linnen a present made to ye minister to ye value of	—.	19.	6
To whole sum received 1733	56.	7.	2½
Disbursements deducted	32.	13.	9
Remains due to ye church	23.	13.	5½

Discounted, heard and ratified ye 28th Febr., 1733.

JOHN CASPER STOEVER, Minister.

Church wardens: Michael Cook, Michael Smith, Michael Clore, Hans George Utz.

Cr. By disbursements, 1733.

By money paid to inquire for a minister in Pennsylvania	0.	6.	0
By money to Sheibley for travelling to Pennsylvania with our minister when he went to receive his orders	—.	17.	0
By money paid by George Sheibley to ye rev'd Mr. Shultz in Pennsylvania for ordination[1]	1.	3.	—
By paid our minister John Casper Stoever his travelling expenses to Pennsylvania . .	1.	9.	—
By paid Urban Tunner [Turner] for travelling expenses to W'msburgh about church business	—.	12.	—
By paid for 2 quarts of wine for ye communion the second Sunday after trinity . . .	—.	3.	—
By paid for wine for com. on the 13th Sunday after trinity	—.	1.	8
By paid for wine for the communion the 22d Sunday after trinity	—.	3.	—
By paid for wine for do & a bottle at Christmas	—.	1.	9
	4.	16.	5

[1]This statement settles, in a very natural way, the time and place of Stoever's ordination. On April 8, 1733, the younger Stoever was ordained by the Rev. John Christian Schultz, in a barn at Trappe, Montgomery county, Pa. We now learn that the older Stoever was ordained by the same Rev. Mr. Schultz, in the same year, and most likely at the same place, which served as a meeting-house for the congregation at Trappe. The Rev. Mr. Schultz arrived in Philadelphia with the ship "Loyal Judith," on September 25, 1732, and became at once pastor of the Lutheran congregations at Philadelphia, New Providence (Trappe) and New Hanover. In the summer of the following year he returned with two delegates of his congregations to Germany to collect money in their behalf. He never returned from this trip. See Halle Reports, new ed. Vol. I., p. 5.

Brought over from Cr. side	4.	16.	5
By Drink money paid to Wm. Carpenter's wife on account of ye land bought for ye minister	—.	18.	6
By paid Wm. Carpenter after deducting of ye Earnest money for the land bought for ye minister	5.	0.	0
By paid for building a Kitching & hennhouse on the ministers plantation	2.	15.	—
By paid freight for our ministers moveables .	4.	—.	—
By paid the Collectors the 1-5 of their Collection	6.	—.	—
By further paid them ye deduction money of 1-5	1.	13.	9
By a present made to ye minister of Linnen	—.	19.	6
By paid for 10 quire paper for ye use of ye church	—.	12.	6
By paid Fleishman & Mich'l Smith their expenses & 1-5 part of their collection . . .	3.	2.	4
By paid ye Court for ye Deeds of ye ministers land	1.	1.	3
By paid Michael Willhite	—.	1.	—
By money remitted to John Raussen . .	—.	1.	—
By paid Cook & Smith for travelling expenses twice going to Court	1.	—.	—
By paid for the Deeds for ye ministers Land	—.	10.	—
By paid Michael Cook for a table for ye ministers house	—.	2.	6
The whole sum of Disbursm'ts 1733 . .	32.	13.	9
Dr. for money received 1734.			
To ye ballance of ye last settling due . .	£23.	13.	5½
To John Willers gift delivered by Fleishman	—.	2.	6
To further payment made by Fleishman on acc't of ye money scales brought for Smith . .	—.	4.	6
To further payment made by Fleishman on account of ye Collection	—.	8.	0
To an offering made on Sexagessima Sunday	—.	9.	4
To an offering made at Easter . . .	1.	4.	8
To money paid by Hoffman towards the ministers salary	—.	5.	—
To money paid by Richard Bordine for the ministers salary	—.	2.	6

To an offering made on the third Sunday after trinity	—.	6.	5½
To offering made ye 11th Sunday after trinity	—.	4.	10
To money paid by Fleishman on acc't of the Collection	—.	19.	4
To 55 lbs tobo. promised to be given to the Collection & received by the minister	—.	8.	4
To an offering made ye 19th Sunday after Trinity	—.	9.	9
To a present made by Mich'l Clour [Clore] to ye church	—.	18.	1½
The Money received 1734	29.	16.	9½
The disbursements deducted	28.	1.	2
Remains due to ye Church	1.	15.	7½

Which by ye Accomptant hath been made good.

Virginia in Spotsylvania County } That this account this 24th of September 1734 is settled, Heard and found good is hereby testified.

JOHN CASPAR STOEVER, Minister.

Michael Cook. Andrew Kercher.
Michael Clore. Hans Zeuche.
Michael Smith.

Cr. By disbursements 1734.

By expenses for ye minister, And'w Kercher, Michael Clore & George Utz in Fred'ksburg at ye settling ye accounts of ye collections & moving for leave to make a collection w'ch was granted by the Court	£—.	12.	9
By paid for communion wine on Sexagessima Sunday	—.	3.	—
By paid for one quart wine & bottle on ye feast of Easter	—.	1.	10
By paid further for ye ministers land	13.	—.	—
By post money laid out by Blanchenbuchter repaid him for a letter sent on church business	—.	3.	4
By money paid for Planks sawed for ministers house	6.	5.	—
By paid Jno. Hoffman for 9 days carpenters work to the ministers house	1.	2.	6

By paid Quitrent for the ministers house .	—.	4.	11
By paid for 1 qu't wine for ye comunion ye 3rd Sunday after trinity	—.	1.	6
By paid for 2 quarts do: for do: ye 11th Sunday after Trinity	—.	3.	0
By paid George Sheibley for his part of Collection dues	—.	6.	—
By pd. for 1 qu't wine for Communion ye 19th Sunday after Trinity	—.	1.	6
By 55 lbs tobo. by ye minister of ye Collection money for w'ch he yet is indebted . .	—.	8.	4
By ye ministers Debt for sundry goods . .	2.	15.	6
By paid for two quarts brandy at ye raising of ye ministers house to Michael Clore . .	—.	2.	6
By paid for ye same for use of ye same . .	—.	7.	6
By money due from Christopher Uhl & Frederick Coppeller yet unpaid	—.	2.	—
By further payment to Wm. Carpenter for ye ministers Land	1.	1.	10½
By further paym't to Wm. Carpenter on account of the ministers Land being therewith fully paid	—.	18.	1½
The whole sum of disbursements . . .	28.	1.	2

At a Court held for Orange County on Thursday the 24th day of August 1738.

This account of several sums of money received & disbursed by Andrew Kercher for the use of ye German Congregation, was presented into Court by John Carpenter, Adm'r of ye s'd Andrew Kercher dece'd & James Portens made oath that to the best of his skill & knowledge the said account was truly by him translated from the German in English w'ch on the motion of ye s'd Carpenter is ordered to be certified & ye acc't is admitted to record.

Test: HENRY WILLIS, Cl. Cur.

A Copy—Test:

C. W. WOOLFOLK, Clerk,
Orange Circuit Court, Virginia.

II.

[AGREEMENT BETWEEN THE REV. JOHN CASPER STOEVER AND HIS WIFE.]

North Carolina at Graven Precinct, the 10 Day of March, 1734.

Since the holy state of matrimony is not only a holy and Divine Ordinance, But also the Institution of this holy Ordinance earnestly requires that the same should be kept holy and peaceable according to his word, without that we desire to heap on us those heavy punishments & judgments therein threatened. In consideraton of which I, John Caspar Stoever,[2] (minister of the Evangelical Lutheran German Congregation in Virginia) and my spouse Maria Magdalena,[3] between whom and

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[2]This document introduces us to the first German Lutheran minister in Virginia, of whom we have any record. He was born in 1685, at Frankenberg, in Hesse. "His father, Dietrich Stoever, conducted a mercantile establishment. His mother, Magdalena, was the daughter of Andrew Eberwein, pastor at Frankenberg. One of his baptismal sponsors was John Christ. Eberwein, pastor and head-master in the Pedagogium at Giessen, which position was held later by a relative of the Stoevers, John Philip Fresenius, one of the most prominent and the warmest friend of the Lutheran Church in America. Already in youthful years, Stoever was a teacher at Amweiler, at the eastern slope of the Hardt mountains, and received from them good testimonials of his descent and character, which were prepared for him by the elders of the congregation. Here he also attended to the playing of the organ, and probably engaged in theological studies. In the year, 1728, he sailed with his son, John Caspar Stoever, Jr., and ninety Palatines on the ship "Good Will," David Crocket, master, of Rotterdam, leaving Deal on the 15th of June, and landed in Philadelphia on the 11th of September."

(*Halle Reports*, new edition, Vol. I, p. 563, and Rev. T. E. Schmauk's *History of the Lutheran Church in Pennsylvania*, Lancaster, 1903, p. 245, note 291.)

[3]This agreement, which is taken from the Court Records of Orange County, and is part of the papers submitted in the suit of Mary Pool, shows that the older Stoever was married twice, because the mother of John Caspar Stoever, Jr., was named Gertrudt, her family name is not given. (Schmauk's *History of the Lutheran Church in Pennsylvania*, p. 248, note 295.) Nor is the family name of the second wife certain. It may be Pool, as her mother's name was Mary Pool. It is, however, possible that her mother was also married a second time, like her husband, John C. Stoever.

me hitherto hath been some difference, I have agreed as followeth, to-wit:

1st. The married persons promise each other to live in this holy state of matrimony (according to God's will till Death shall part them) peaceably and in union as behooves Christians, and totally forget and bury in oblivion all what has formerly past between them, and to travel together to Virginia where ye sd Stoever's congr. is & he lives.

2ly. The husband promises heartily to love and honour his beloved wife, Maria Magdalena, and to provide for her maintenance and cloathes according as his station and condition will afford & as behooves Christian husband, also.

3ly. Maria Magdalena promises to love and honour her husband and in all things, & in love & faithfulness to obey his lawful commandments as a Christian wife ought to do.

4ly. In case the husband agt. his wife's will should travel to any other place, and contrary to expectation leave her there, half of his Estate to fall to her share, without that she be the cause of his so leaving her.

5ly. I, Stoever, have promised to give unto my son (John Gasper) & Daughter (Elizabeth Catharina) by the first marriage, a certain part of my estate for their entire exclusion, and to make this present wife & ye son got (together with what children God shall be pleased to give me) by this second marriage, sole heirs of what estate I shall leave, so that they shall have no one to divide it with them.

6ly. Stoever promises during the life of his mother-in-law to maintain & cloath her & to shew her all love and faithfulness due from a child; in consideration of which she promises as well to be careful of not giving offence herself, as to admonish her Daughter to beware from offending & giving occasion of quarrel or strife, especially to leave off all evil speaking, backbiting & slandering which occasion offence, and truly to behave herself so in all things towards her child and son-in-law as becometh a loving & Christian mother. To the end the congregation may not be offended nor no new strife may be raised in the house. And that all these things may be truly

kept and performed the married persons & the mother-in-law have hereunto set their hands which is by the hereunto chosen witnesses confirmed. Dated as above.

7th. If the mother-in-law should not be willing, or Stoever rather would chose that she would live in some other place and not with him, then doth he promise for himself and his heirs to pay her yearly for her maintenance five pounds Virginia money as long as she lives. I say five pounds.

Certified to by my own hand,

JOHANN CASPER STOEVER.

Martin Frank,
John Hans Daver,
Jacob Shyte,
Endorsed: Stover and Ux'rs Agreement.

III.

[LETTER OF COUNCILLOR KOEHLER OF KOLBERG, POMMERANIA,[4] TO PROFESSOR FRANCKE, DATED MAY 11, 1736.]

That I take the liberty to trouble your Reverence is due to the well known delegates of the congregations in Virginia, who, together with their minister, Mr. Stoever, have arrived here and from here will go to Danzig and Koenigsberg. They have collected a rich harvest, more than 2000 "Thaler,"[5] to which this city contributed 200 "Thaler." When I represented to them, that I did not hope that they would disregard the main purpose of their transplantation to America and of the blessing bestowed by the dear Lord, but would take to heart the fact that the calling of the Christians consisted mainly in this, to make known the gospel of Jesus Christ in all places and parts of the earth, they perceived this clearly, and assured me that this would be their principal endeavor. But inasmuch, as their minister is of the opinion that he alone is not equal

[4]Unfortunately, this interesting letter cannot be given completely, only this extract as found in Muehlenberg's *Autobiography*, published by Rev. Dr. W. German, Allentown, 1881, pp. 221-223.

[5]A German dollar, worth about 73 cents.

to this work, he has asked me to inquire of your Reverence whether there is with you a person, equipped by God and filled with a divine impulse, who would be willing to go over with them and co-operate at first in the work of ministry and in the school until divine providence would show them an opening among the heathen. This congregation, he reports, consists of Palatines, whose sad experiences in England, in their journey across the sea, and in the beginning of their stay in America is known. They had no minister till two years ago, when the present pastor, Mr. Stoever, only accidentally came to West India, intending to visit his son.[6] He was before a school teacher, driven away by Catholics, but received gladly by these people who secured his ordination. He has the intention: (1) On his return, to buy twelve negroes as slaves, with whom he intends to clear enough land so that he together with another minister and assistant could live on it, without being a burden to the congregation. He is now paid a salary of 3,000 pounds of tobacco by the congregation. If these slaves be kept better than those among the English people, and be instructed in the Christian religion he thinks that thereby hundred, nay even thousands of slaves, who are compelled to work for Englishmen, will be brought from heathen ignorance to Christ, indeed that much good could thereby be accomplished among the English. (2) Regarding the heathen living in the country, they had been made very timid by the English, and had been driven forty to fifty miles farther into the country. No one concerned himself about them, but left them go in their blindness. However, since their settlement had been fixed at the extreme borders, only forty miles from the Indi-

[6]This statement, if correct, throws new light upon a dark period of Stoever's life. The question which has puzzled historians very much, is what became of him after his arrival in Philadelphia, in September, 1728. Some historians, as Dr. Schmauk, (*History*, p. 247), believe that from 1728-1733 the older Stoever ministered in Philadelphia. But this statement in the letter of Mr. Koehler seems to suggest that he returned to Germany, and in 1733 came back to America. Perhaps he was carried by a storm to Virginia, as the Lutheran immigrants of 1717.

ans, they met them occasionally hunting; indeed they [the Indians] even allowed themselves to be coaxed into their homes, where they [the Germans] showed them much kindness. Hence, the report had spread among the Indians that they were kinder people than the English and Spanish. For this reason much good was to be expected, with the divine assistance, from these heathen people, especially since they recognized, by the light of reason, two beings worthy of worship, the one good, the other evil, the latter of which was served, out of fear, more than the good. Your Reverence will therefore consider this, and report whether a fit and willing person can be found, ready to go over at the expense of the congregation, which now consists of three hundred people. He must also be willing to be content with the necessaries of life until the proper arrangements have been made. As the ships do not go to Virginia till February of next year, they [the delegates] intend to go first from Koenigsberg to Sweden and from there through Denmark to London. They will remain in Danzig four weeks to wait for the answer of your Reverence.[7]

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[7]Prof. Francke answered this letter on May 23, 1736. He expressed his readiness to co-operate in getting an assistant for Stoever, but he complained that students were attracted by philosophy, that they considered everything from the standpoint of reason, and would not consent to take any place which did not offer an adequate remuneration. During the last year he had looked for men for Bengal and Trankebar, but had received only declinations, and met with difficulties. He asked to be remembered to Stoever. If he [Stoever] should meet on his journey a suitable person, whom he could use as his assistant, he should not disregard the opportunity to engage him. Meanwhile, he would be pleased to hear from him as to his whereabouts so that, in case he would find anybody, he might notify him.

(*Autobiography* of Muehlenberg, edited by Dr. W. German, Allentown, 1881, p. 223.)

The writer of this letter was not the great August Herman Francke, the founder of the famous orphans' home, and of the numerous educational institutions at Halle, but his son, Theophilus Augustus Francke, who followed his father in 1727 as director of orphans' home, and of the other institutions. Both he and his father took great interest in the German Lutheran churches in America. In fact many of the

IV.

[REPORT OF THE REV. JOHN CASPER STOVER, SR., 1737.]

Short Report of an Evangelical German Lutheran Congregation, living in the American Virginia, namely, at the extreme borders of the County of Spotsilvania, prepared by John Caspar Stoever, first pastor of this congregation, Hanover, printed by L. C. Holwein, 1737.

In the year 1717 a small number of Evangelical Lutheran Christians[8] from the Alsace, the Palatinate and the neighboring districts, (whose intention it was to go to Pennsylvania) after an unfortunate voyage to the American continent, settled at the extreme borders of the province of Virginia, in the County of Spotsilvania, having undergone many hardships during the first eight years.[9] Their number is at present 300 souls. They

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Lutheran ministers in Pennsylvania during the eighteenth century came from the Halle institutions. Dr. Schmauk gives the complete list of twenty-four men. (See *History of Lutheran Church*, p. 201, note 235.)

[8]From several sources we know that the colony of 1717 numbered twenty families or about four-score persons. (See Perry, *Historical Collections Relating to the American Colonial Church*, Vol. I, p. 247, and *Journal of the Presbyterian Historical Society*, Vol. II, pp. 104, 106.)

From the Court Records of Spotsylvania County, as published by Mr. Charles E. Kemper, (see *Virginia Magazine*, Vol. XIII, pp. 370-372), it appears that Christopher Zimmerman, Henry Snyder, Mathew [Michael] Smith, Michael Cock [Cook], Andrew Kerker, and Christopher Pavlur or Parlur, arrived in Virginia in 1717, and must therefore be members of the 1717 colony. Three of these, Michael Cook, Michael Smith, and Henry Snyder, appear among a number of eighteen Germans, who were sued by Colonel Spotswood in 1725 (See *Virginia Magazine*, Vol. XIII, pp. 364-367). It is, therefore, probable that most, or perhaps even all of the persons sued by the Governor belong to the 1717 colony.

[9]This statement, no doubt, implies that Governor Spotswood held these Germans for eight years as indentured servants. It also fixes the time of their departure from Germanna, as 1725, most probably the fall of that year. Mr. Charles E. Kemper has come to practically the same conclusion on the basis of other evidence. He shows (*Virginia Magazine*, Vol. XIII, p. 365) that the Court Orders of Spotsylvania County fix the removal between July, 1725, and November, 1726.

are now amply provided in temporal things by the Preserver of all creatures, to whom all honor is due. Because they live fifty German miles from the ocean they are unable to dispose of their superabundant provisions, with the exception of their tobacco, which they exchange for the necessary clothing.

Although this congregation, solicitous for the salvation of their souls, made every effort to secure a pastor, and twelve years ago,[10] by sending two of their men to Europe, intended to accomplish this, yet for full sixteen years[11] they were compelled to be without public worship and a pastor, although they had a very great hunger for the word of grace.

At last the gracious God heard their continual prayers and selected me, unworthy servant, after receiving a call and ordination, to be their teacher and preacher. I have also begun public worship among them, in accordance with the grace granted to me by God, by teaching them and administering the sacraments. I have been satisfied with a yearly salary of 3,000 pounds of tobacco (worth about fifty-five rix-dollars). But the joy over the divine worship now established, the zeal of the people in the same, the anxious fear that the light of the gospel, kindled by the grace of God among men, might again be extinguished after my death and thus reduce them to the same former, spiritual destitution, together with the earnest desire to preserve the Evangelical truth to themselves and their descendants and the eager solicitude of that dear, but poor, congregation, all these induced me to undertake this dangerous and difficult journey in God's name, after having received

[10]These men were sent in 1725, as the report was printed in 1737. The two delegates were Michael Cook and Zerachus [Cyriacus] Fleshman. A petition of these two men, laid before the Colonial Council on April 23, 1724 (see *Virginia Magazine*, Vol. XII, p. 350f), was printed in the *Virginia Magazine*, Vol. VI, p. 350f. The passage that refers to this trip to Europe reads: "We design to go to England and from thence to Germany, to bring in a minister for us high Germans who are here."

[11]That is from 1717-1733. This statement fixes the arrival of Mr. Stoever in Virginia as taking place in the year 1733.

permission from the royal governor[12] and taking with me an elder, Michael Schmidt, and a member of this congregation, Michael Hold, the latter returned again to Virginia from Danzig. It is our purpose to gather contributions from the Christian friends in Europe, so as to be able to continue our abovementioned public worship, to build a church and a school and to establish a fund for the maintenance of the ministers, because this congregation is compelled to contribute its share to the support of the English minister and his services. A confirmation of all this will be found in the original documents, which I have with me from the above mentioned governor, and the German Lutheran ministers in London. God in his abundant grace has not left my undertaking without results, but everywhere on my journey has moved many hearts to contribute liberally. Reports printed at Leibzig give an account of the liberality of the people at Hamburg, while future contributions will be recorded in the original collection book, which I have with me.

Moreover, the power of God, which controls the hearts of men, has induced a candidate of theology, Mr. George Samuel King, born at Elbing, to become a fellow worker in the gospel in this congregation. He has obligated himself to this work by accepting the call extended to him and by receiving ordination through the ministerium at Danzig,[13] as has been confirmed by the testimonial of the aforesaid ministerium. In consequence of this he has actually started on his journey to Virginia.[14].

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[12]The certificate of the governor is given later on p. 155.

[13]More about this ordination, which took place on August 30, 1736, is found later on p. 156.

[14]Mr. Klug seems to have been delayed in his journey. He took with him a letter of Dr. Ziegenhagen, from London to Pennsylvania, which was dated September 26, 1738. Hence he left London after that date. It was answered by the congregations in Pennsylvania on October 15, 1739. (See *Halle Reports,* new edition, Vol. I, p. 67.) Hence he arrived before that date. In a letter of Rev. Peter Brunnholtz, dated July 3, 1749, it is stated that Mr. Klug arrived in Virginia "ten years ago." (*Halle Reports,* new edition, Vol. I, p. 528.)

But whereas, for the support of two ministers (who are needed at this distant place to maintain public worship and the school) many things are necessary so that churches and schools can be built and many other things can be secured which are necessary for the church.

Therefore, the Christian reader is requested to take to heart these needs of the church, compassionately to advance this God-pleasing undertaking, which is for the preservation and spread of the pure Evangelical doctrine in America (in the prosecution of which every effort will be made to lead the heathen, who still walk in darkness, to Christ) and to that end to send contributions across the ocean for the quickening of the poor fellow believers and the conversion of the heathen, in the assured confidence that, as God is earnestly invoked to reward men, he, a God rich in blessings, will graciously reward such alms according to his promise with temporal and spiritual blessings.

V.

[LETTER OF THE REV. JOHN CASPAR STOEVER, SR., TO PROF. FRANCKE, DATED JANUARY 17, 1738.]

Very reverend and devout, very learned Professor, most honored and noble patron:

If I did not know your Reverence's untiring zeal in the propagation of the gospel, I would not dare to trouble you with this letter, the less, since at my departure from London I promised his Reverence, Mr. Ziegenhagen,[15] not to become burdensome to you. This promise kept me last summer, when I was in Leipzig, from paying my respects to you. To this was

[15]Rev. Frederick Michael Ziegenhagen was court preacher at the chapel of St. James, in London. He was born in Pomerania in 1694. He came to London in 1722. It was through him that Muehlenberg, the patriarch of the Lutheran Church in America, came to this country. He died in 1776. For a picture of this great man, see Dr. Schmauk's *History of the Lutheran Church in Pennsylvania*, facing p. 13.

added the fact that different friends in Prussia and Pomerania, who assisted my collection in those districts, earnestly advised me, since I had not received a royal permit for the purpose of collecting money, to stay away from the royal lands for fear of complications arising from my visit and also to spare our benefactors there. But inasmuch as I have now returned to my trunk, in which were both the original recommendation from his Reverence, Dr. Arnold, of Koenigsberg, as well as the "programmata,"[16] given to me by him, I venture to send them to your Reverence with the submissive request to be pleased to send to Prof. Baumgarten,[17] Rev. Prof. Freylinghausen,[18] and the Rev. Mr. Meyer, the letters enclosed for them, to show them the original letter of recommendation and to forward the same, together with the other enclosures, to his Reverence, Provost Rolof. Your Reverence will remember that in answer to the request of Councillor Koehler, of Colberg, for an assistant in my congregation you were pleased to answer and counsel the same, under date May 23, 1736, that, inasmuch, as it was difficult to secure some one in Halle, I should not disregard any opportunity, if during my travels I should find a suitable person. Now, through divine providence, such a person has been found, in whom I place full confidence (as can be seen from the printed report which is enclosed with the other documents). The same arrived in London in January, 1737, provided with recommendations and letters from me to his Reverence, Dr. Ziegenhagen. But the latter was unwilling to take up this matter, nor did he answer my letter in reference to it, although in the month of May last year I sent some

[16]What these "programmes" were does not appear from the context. They may have been a university dissertation of Doctor Arnold on the Lutheran Churches in America.

[17]Prof. Siegmund Jacob Baumgarten was an eminent German theologian. Born March 14, 1706; was made professor of theology at Halle in 1734. He died 1757. His writings are chiefly historical and exegetical.

[18]John Anastasius Freylinghausen was the son-in-law of Dr. Francke. He was director of the Halle orphan home. He died in 1739.

money to my colleague, Mr. Kluge, and requested him to let me know when ships left London for Virginia, so that I could arrange my journey to Virginia and go with him thither. I wrote on this account several times after that to him, as well as to the Rev. Mr. Palm, with whom he lodges, but thus far I have received no answer from London, although I earnestly long for it, so that I do not know the exact state of this matter. If your Reverence have any news I would humbly ask you to communicate the same to me. My address is noted at the end of the printed documents.

Furthermore I take the liberty to ask your Reverence kindly to send a list of the books which you forwarded at the request of Mr. Ziegenhagen, for the congregation, as well as for the congregational library. Also be pleased to mention what moneys have been sent for this purpose by kind-hearted persons, and were transmitted through you to London, so that I may be governed thereby. If your Reverence can do anything else for the establishment of this congregation through your far-reaching influence, it will not remain unrewarded by the Most High. I am convinced that your Reverence will not omit anything which can contribute to the growth of the church of God.

Recommending you with all devotion to the gracious divine providence I remain with submissive obedience,

Your Reverence's, My much honored Professor's, submissive servant, devoted to you, through prayer and service,

JOHANN CASPAR STOEVER, pastor,
of this congregation in Virginia.[19].

Darmstadt, January 17, 1738.

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[19]Prof. Francke answered with much reserve. He told him that no collection could be taken in Prussia without a royal permit, but that fifty "Thaler," which Captain du Rosay, of Freyenwalde, had sent in July, 1736, for Virginia and Philadelphia, had already been announced to Ziegenhagen, and would be placed at his disposal. (This was done in May, 1738, together with forty "Thaler," which court preacher, Allendorf, of Koethen, had sent to Councillor Cellarius in April, and which had been expressly designated for Rev. Mr. Stoever's congrega-

[EXTRACT FROM THE ACTA-HISTORICO-ECCLESIASTICA. Vol. III, p. 1094, Weimar, 1738.]

We find besides another Evangelical Lutheran Congregation in America, which since 1717 has been settled there; but now has again become known to us. In the above mentioned year, 1717, a number of Evangelical persons, from the Alsace, the Palatinate and neighboring districts, emigrated from there, because of the then well known, severe persecutions. They went to England, intending to go to Pennsylvania. But since the captain, who took them on his ship before his departure was arrested in London for several weeks, because of his debts, most of the victuals were consumed so that many people died of hunger during this voyage. The rest were sold by the captain to Englishmen for their passage-money. Said Evangelical congregation was settled, especially by the then governor Spotswood, who treated them very harshly, in the province of Virginia, more particularly in the county, named after him, Spotsilvania, which is at the extreme borders of this province, twelve German miles[20] from the ocean. There they suffered

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tion in Spotsylvania.) Francke then continues: "His Reverence, court preacher, Ziegenhagen, has expressed his surprise for some time past in his letters to me that your Reverence can stay away so long from your congregation in Virginia, because it is known to you that a considerable contribution has been given to the congregation at different places, and because such a long delay is contrary to your agreement, made in London with his Reverence. Regarding Mr. Kluge, whom you have accepted as your colleague, the missionaries, leaving in the beginning of last year for Trankebar, have reported from London that they had met there the aforesaid Mr. Kluge, but I have no news whether he has really left for Virginia since that time." He then refers to the books sent to Ziegenhagen, and closes: "In conclusion, I heartily wish that your plans and efforts for the evangelical congregation in Virginia will redound to their blessing and best interests." (Muehlenberg's *Autobiography*, Allentown, 1881, p. 225f.)

[20]There is considerable discrepancy between this statement and the one on page 148. Neither is accurate. From Madison, in Madison county, to the mouth of the Potomac, is 120 miles by air line. A German mile is about four-and-half English miles.

great hardships, for the first eight years, but they are now sufficiently provided by God with temporal blessings, although they cannot dispose of their crops, except the tobacco, which they exchange for clothes, because of their great distance from the ocean. This congregation, which now consists of 300 souls, suffered especially during the first years, a great want in spiritual things, although they sent for this purpose, twelve years ago, two men to their people in Europe, in order to secure a minister. Nevertheless they were for sixteen years without public worship and a minister, until at last Mr. John Caspar Stoever, born at Frankenberg in Hessia, after being called and ordained, was given to them by God as their first pastor. He has thus far administered the office of an evangelical pastor among them, being satisfied with receiving instead of salary 3,000 pounds of tobacco, which is worth about 55 [German] Thaler. Since, however, the congregation earnestly desires not to lose the Evangelical truth with his death, but to preserve it to them and their descendants, the said Rev. Mr. Stoever, together with an elder, Michael Schmidt, and a member, of the congregation, Michael Hold, has started on a journey to Europe, intending to collect money for the continuation of divine worship, for the building of a church and school and for the establishment of a fund for the support of their pastor.

In testimony whereof we shall insert the certificate of the present governor of Virginia, which he gave to him for his journey.

William Gooch, Esq., Vice-governor of his Royal Majesty and Commander-in-General of the land and province of Virginia,

Sends Greeting to all, to whom these presents may come.

At the request of Michael Hold and several other German Protestant inhabitants, at the great mountains in the County of Spotsilvania, of this government, I testify herewith, that the said inhabitants keep and maintain, out of their own means, an Evangelical minister of their religion, namely the

Reverend Augustin[21] Stoever, for whom they have already acquired a certain tract of land[22] and have built a parsonage and are now about to build a church for their meetings[23] of which circumstances I have not only received credible evidence, but also know that they have very slender means and are altogether unable to bear the expenses of their undertaking without outside assistance. Hence, in order that they may receive help and assistance in Germany from their countrymen, to carry on the building of their church and to maintain and support their minister, they are now sending the above mentioned minister, Rev. Mr. Stoever, together with Michael Hold and Michael Schmidt to that country. In order that full credence may be given to these delegates in Germany, in all their endeavors and undertakings, I have given them this written testimonial and have caused the seal of this province to be affixed to the same.

Given at Williamsburg, September 18th (st. v.) in the eighth year of our sovereign, George II, King of Great Britain, France and Ireland, Defender of the Faith annoque Domini 1739.[24]

(L. S.) WILLIAM GOOCH.

Thus they came to England and received there not only a good contribution, but also a letter of recommendation to Germany and Holland from the German Evangelical Lutheran ministers in London, Rev. Frederick Michael Ziegen-

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[21]This is a mistake. It ought to be John Caspar Stoever.

[22]In 1733 the Lutheran settlers acquired 193 acres in the first fork of the Rapidan river for church and school purposes. See Slaughter, *History of St. Mark's,* p. 104.

[23]The Hebron church, in Madison county, was built in 1740. It is still standing. (See picture in Dr. Jacob's *German Emigration to America,* in Proceedings of Pennsylvania German Society, Vol. VIII, p 61.)

[24]This date is wrong. It ought to be 1734. In September, 1735, the delegates were in Germany. Moreover, George II, followed his father in June, 1727, hence his eighth year began in June, 1734.

hagen, Rev. Heinrich Alard Butjenter, court preacher at the German court chapel of St. James, Rev. D. Heinrich Walther Gerdes and Rev. Heinrich Werner Palm, pastor of the Evangelical Lutheran church in Savoy.

In Germany they came, among other places, in September 1735, to Hamburg, where they received a rich harvest of alms. This money was immediately sent through merchants to England and through bills of exchange to the elders of this congregation in Spotsilvania. The above mentioned Mr. Stoever has also collected a small library of all kinds of spiritual and unobjectional books, especially of the writings of Luther, which are to remain the property of the church. In Elbing[25] they have been fortunate enough to find a candidate of theology, Mr. George Samuel Klug, who, especially on the advice of Rev. Mr. Daniel Rittersdorf, pastor primarius of the church of St. Mary and Senior of the ministerium at Elbing, accepted the call, extended by the congregation to an assistant. This new co-laborer was, therefore, after the usual examination, publicly ordained in the principal church of St. Mary on August 30, 1736 and a testimonial was given to him by the Evangelical Ministerium there. At the same time a certificate about this was also given to Rev. Mr. Stoever. The above mentioned Mr. Klug immediately proceeded from Danzig to England and from there to Virginia, in company of Mr. Michael Schmidt. Mr. Stoever, however, continued his journey in Germany and stayed till the spring of 1738 at Darmstedt with the court deacon Fresenius, a relative of his, after which he started on his return journey to his congregation. Meanwhile Mr. Fresenius assures persons, who desire to send a contribution to this congregation, that he will send it safely to America and will state in public print for his own vindication, how these moneys have been used.

[25]Elbing is a city of the province of West Prussia, whose capital is Danzig.

VII.

[Letter of Rev. John Philip Fresenius, Taken From Fresenius Pastoral—Sammlungen, Vol. xii. 361-364.]

He [Stoever] had so much confidence in me that he asked me for instruction. I took him willingly into my house and devoted to him every hour, which I could spare from my official duties. Although he was more than fifty years of age, yet he studied untiringly night and day, so that within half a year he had penetrated farther into the Christian Science than I anticipated at first. His growth in the active Christian life became evident to me to my greatest joy and I had hope that he would become a very able worker among his flock in America. He himself hoped that he would now be able to administer his office, under divine blessing, better than before. But he died on his return journey and was buried at sea.

VIII.

[Will of the Rev. John Caspar Stoever, Sr., Recorded at Philadelphia, March 20, 1739.]

In the name of the Most Holy Trinity, Amen.

Although the Great God has appointed to all mankind an end, whose manner and time are known to none, yet he sends at times his messengers of sickness, through whom he admonishes us, saying: "Set thy house in order for thou shalt die." I also have experienced this upon my sea voyage to Pennsylvania and thence to Virginia. I have to set in order two important affairs, namely, both of the house of God as well as of my own house. I shall begin with the most important, the house of the Lord.

The agreement with my congregation as well as the certificate of the Royal Britannic Governor in Williamsburg testify by whom I was engaged and what I and my companions shall receive, upon the completion of the collecting tour, as a

return for our faithfulness and fidelity, exhibited during this long and most dangerous journey.

As regards Michael Holt, he accompanied us indeed as far as Danzig, but for the wicked villanies he there practised against us, and for the harm he did to our collection on his return to London, through his influence on the ministry there, he cannot make restitution to this congregation with four hundred pistoles:[26] indeed through him and his wicked suggestions[27] the ministry there [secured] a person, sufficiently pre-

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[26]A pistole was a Spanish gold coin, worth about $3.60.

[27]This seems to be the sense of an exceedingly obscure passage. The verb being omitted it is hard to tell what is really meant. The old English translation, on record in the Register of Wills Office in Philadelphia (Will Book F, pp. 126-128) contains at this point but a confused medley of words: "Yea, how through him and his wicked mouth that blessed Institution when a learn'd man, Master George Samuel Klug, by the heart rending grace of God, hath fully resolved and in Elbingen as a second minister of this congregation the calling accepted, & further in Danzig the confirmation received, for whose maintenance in his journey from thence to London we have paid 400 Elbingish or 200 Dutch Florens according to the currency in the Empire & for Reason of the many recommendations from a great many high Lord both spiritual and temporal as from other great Merch'ts our full and abundant confidence was further confirmed. That the great God would prosper our Collections so far, that constantly two ministers without the least charge to the congregation could be maintained and likewise a church and other unto the worship of God necessary buildings would been erected." I would like to offer this explanation of the difficulty. Mr. Klug was secured by the machinations of Michael Hold, who thereby tried to supplant Mr. Stoever. I infer that he made false representations to the ministers at Danzig, and on the strength of them Mr. Klug was engaged. When Stoever heard of it he was at first very angry, but finally submitted to the inevitable and gave him money to travel to London. That Mr. Klug was not on the best of terms with Stoever seems to be implied in the attitude of Dr. Ziegenhagen towards Stoever, in the continued silence of Klug, refusing to answer Stoever's letters, and in the absence of any reference to him when the older Stoever advises his son about the future of the congregation. In fact it is doubtful whether Klug left England before Stoever did. Both reached Philadelphia in the year, 1739. Not knowing what had become of Klug it is but natural that Stoever should

pared, Mr. George Samuel Kluge, who through the overruling providence of God accepted at Elbingen the call of this congregation to be its second pastor, received also ordination at Danzig and then started on his journey to London, for which we gave him four hundred Elbingish or 200 German guilders. We also have the full and perfect assurance, through the recommendations of many distinguished consisteries and merchants, that the great God will bless our collection and that two ministers can be maintained continually without the least expense to the congregation, also that a church and other buildings, necessary for the work of the church, can be built. All this has not been mentioned with the intention of myself or Michael Schmidt taking any part of portion belonging to Michael Holt for the time that he was with us, but we feel ourselves compelled through our conscience to deliberate whether or not he should indemnify the congregation for the damage he did to the same. All the tricks he practised to the detriment of the congregation can be sworn to by Michael Schmidt, a conscientious man, and, if I confirm the same with my death, credence will undoubtedly be given to my words as well as to the many letters received from Rev. Mr. Ziegenhagen.

Now my much beloved son, John Caspar Stoever, minister in "Canastoken,"[28] I herewith give unto thee and unto Michael

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regard the expenditure of 400 guilders as money wasted, and hence he blamed Michael Hold for this useless expenditure. This, I take to be the force of the above obscure passage in Mr. Stoever's will.

[28]On September 11, 1728, two persons took the oath of allegiance in Philadelphia, who gave their names as "Johann Caspar Stoever, missionaire," and "Johan Caspar Stoever, S. S. Theol. Stud." Their relation to each other was long unknown. They were usually regarded as uncle and nephew, but it is now certain that they were father and son. (See *Virginia Magazine*, Vol. XI, p. 241.) The will of Stoever corroborates other evidence on this point. The young Stoever was born December 21, 1707, in the Duchy of Berg. He came to America with his father in 1728. He was ordained on April 8, 1733, by Christopher Schultz, pastor in Philadelphia. He organized many Lutheran congregations in the eastern counties of Pennsylvania. He died May 13, 1779, at Lebanon, Pa.

Schmidt full power to use thy earnest endeavor in taking charge of this church, especially with a view to provide them with divine services as we began the same in the Lord, and if this beloved congregation would call thee as its pastor accept its call, if thou canst do it with a good conscience, therefore as soon as thou hearest from this Michael Schmidt go at once to Philadelphia and assist him, according to the best of thy ability, in bringing him, his and my own goods, as well as two other families going to Virginia, to thy house.

This done send at once a messenger to the other three church wardens of the congregation with the request to come speedily to thee to hear the Letters of Attorney, which thou hast received, likewise to listen to my own and Michael Schmidt's account of the whole collection, in accordance with the statements entered into the collection books as well as other documents not found in the collection books, but especially in a small Hamburg almanac, in which I entered many large and small sums in the Latin language, all of which belong to the receipts.

Then in the presence of the church wardens determine, according to the contract, the portions belonging to the congregation, to me and to Michael Schmidt and from the portion of the congregation assign to each of the church wardens two shillings, Virginia currency, per day. Thou mayest also notify the congregation in Virginia that, if they wish to elect several persons to be present at the settlement of the collected money, they have liberty to do so, provided it can be done without expense to the congregation. Write at the same time a short letter to my wife and children that they may come along with the church wardens, because thou hast full directions what to give to her and to all my children as their patrimony.

There is in hand in cash money in all eight hundred pistoles, in four sealed packages, each containing two hundred pistoles. In determining the amount due to the congregation the sums which I and Michael Schmidt have expended for the congregation, must again be restored. Moreover we ought to have our share of the books collected for the congregation,

of the silver cup and of the small plate. I sent from Hamburg to John Henning N. of London, a large chest full of books. I paid for the chest. Within were ten volumes of Luther's works, printed at Wittenberg, I bought another volume, but the last volume I was unable to secure. There were many other books in it for the congregation. For my own use there was in it, Spener's Consilia,[29] three volumes; many new books unbound, for instance, Pfaff's large Bible,[30] a Hebrew Lexicon, Budeus,[31] Morals, in German; Michaelis[32] Hebrew Grammar, Langius[33] Greek and Latin Grammar, and other unbound tracts. This chest had the misfortune to be in a ship that suffered shipwreck. But I received letters from London, from the above mentioned, John Henning, that through the grace of God the chest had been saved, but would be sold in a short time, then he would buy it again for me, which he did for about thirty-six shillings, sterling money. This chest is still in London, write therefore immediately to the aforesaid John Henning, whose sur-name[34] you will find in the letters, asking him that by the first opportunity he would send the chest over to thee with the offer that the one who would bring the chest with him should have all his expenses gratefully repaid to him.

The other books, belonging to the congregation, were all packed up in Michael Schmidt's chest. Furthermore we received many books from the bookdealers at Leipzig and Strass-

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[29]Philip Jacob Spener was the great Lutheran pietist, first pastor at Frankfort-on-the-Main, then court preacher at Dresden, and lastly pastor of the St. Nicolai church, at Berlin. He died in 1705.

[30]The Bible of Christopher M. Pfaff was printed at Tuebingen in 1729 and following years.

[31]John Francis Buddeus published his *Institutiones Theologiae Moralis* at Leipzig in 1711.

[32]This was John Henry Michaelis, a noted Hebraist.

[33]Joachim Lange was a prominent Lutheran theologian of the pietistic school.

[34]The English translation in the will book has John Henning Carstens.

burg, but, inasmuch as they were of no value to the congregation, I exchanged them with a bookdealer at Frankfort for two hundred Frankfort handbooks, which I and Michael Schmidt had bound for the congregation. Other books, which came from Strassburg, we exchanged at Darmstadt for hymn books with large and readable types for the use of the congregation. Regarding these books we ought first of all to be compensated for our expenses and secondly we ought to receive our stipulated portion of the same. This holds good also for the exchanges which we endeavored to make of our money into current money, as I have noted in the collection book at the end of the Hamburg and Lubeck[35] account. Likewise, it is no more than just that, where we were compelled to make advances, we should have the same restored to us. These began as as soon as we came to Leipzig and Lauenburg and extended down to the end of the collecting tour, which advances amounted to at least five per cent.

Finally I and Michael Schmidt bought at Plymouth a hundred pieces of cut window glass and packed it in six boxes together with three hundred pounds of putty, with which to fasten the glass in the wooden frames. We paid for the same, according to the bill, twenty-five pounds and ten shillings, sterling, which sum must likewise be repaid to us by the congregation.

Whatever else is necessary for thee to know concerning this affair thou canst learn from conversation with Michael Schmidt and from the documents, which will give thee in all things the necessary light. To this end call, with a pure heart, upon the God of wisdom and understanding, that he may plentifully fill thy heart with his heavenly wisdom. When the whole matter has been settled then cause a document to be drawn up by the magistrate or notary public, in the presence of witnesses, so that it may have standing before the whole world. Then give to each one his portion, due to him.

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[35]Lubeck is one of the three free cities of Germany. At one time the head of the great Hanseatic League. It is situated at the Lubeck Bay, a part of the Baltic Sea.

Furthermore care as much as possible, for this congregation, its preservation as well as its true interests, write in its behalf to the court preacher, Rev. Mr. Fresenius[36] and ask him to send if necessary a new minister, also try to keep up a correspondence with the ecclesiastical and secular authorities in Germany that they may send over to thee the collections which from there are yet to be expected. I also bought of him [Fresenius] besides other books Langen's, "Light and Right," one part of which is still wanting. Write to him he will surely send it.

Regarding the goods, which I and Michael Schmidt have bought, the same belong in part to us jointly, some of them to him, but most of them to me alone. Michael Schmidt will no doubt remember it all correctly.

Finally this power of attorney concerns my wife and children. I nominate thee again truly and faithfully to assign to each the share which I have intended for them. First, concerning my dear wife. Her share shall be whatever she has of cattle, horses, hogs and all other living animals, all furniture, bedding, pewter, copper, iron ware and linnen, in short she need not give to any one an account of these things, yet with this condition that during my absence she behaved herself as a good wife and that be she did not slander my office and honor with her wicked tongue and thereby gave great offence. In such a case everything shall be taken from her from the greatest to the least, even including the clothes on her body, since they all came from me, and shall be added to the share of the children. Everything that I leave of money, silver, linnen, clothing, bedding and whatever other goods I have, shall be valued as to their total value and shall then be equally divided among my beloved children, but nothing shall be given into

[36]John Philip Fresenius was born in 1705. In 1734 he became court preacher to the Landgrave of Darmstadt, and professor at the university at Giessen. Later pastor at Frankfort. He took a lively interest in the Lutheran congregations in Pennsylvania. He published twenty-four volumes of *Pastoral Collections*, 1748-1760, in which there are numerous references to the American churches.

the hands of those of the second marriage, until they have reached the requisite age. Thou, my dear son, shalt heartily assist them in their training in the Christian faith as well as in their getting a livelihood. If thou canst not do it in any other way thou shalt give them the yearly interest of their money, which thou hast in hands.

This, my dear Son, is thy full power of attorney, containing what I ask of thee.

May God plentifully grant thee wisdom, understanding and grace for the sake of Jesus Christ and keep thy heart from all falsehood and deceit. Amen, Amen.

That the foregoing was signed by me with a clear mind and in Christian fatherly love, and was written by the schoolmaster, Mr. Johannes Ebert, at sea during my sickness, is testified by my own hand and by the signatures of the following witnesses.

JOHANN CASPER STOEVER,
Minister of the Evangelical, German Lutheran Congregation in Virginia.

(L. S.) MICHAEL SCHMIT,
(L. S.) WM. MISSING,
(L. S.) JOHANNES EBERT.

[The original German will is endorsed:]

To be delivered to my dear Son, Johann Casper Stoever, Evangelical Lutheran Minister in Canistoken, with all possible haste.

[The original English translation is endorsed as follows:]

A true copie of the last will & testament made upon Sea in his sickness by John Caspar Stover, Senior Minister of the Lutheran Church in Virginia unto John Caspar Stover, Junior, minister of the Lutheran Church in Canastoken as

to his eldest Son; truly and faithfully translated out of the Dutch Orignal.[37]

[The will was recorded in Will Book F, pp. 126-128, with the following additional affidavit:]

Philadelphia, March 20th, 1738|9.

There personally appear'd Michael Schmidt one of the witnesses to the within written Will & upon his Oath did declare he saw & heard John Gaspr Stover, the Testator within named, sign, seal, publish and declare the same Will to be his last Will & Testament & that at the doing thereof he was of sound mind, memory, & understanding to the best of his knowledge and that William Missing & John Ebert, the two other subscribing witnesses did subscribe their names together with this Deponent as witnesses to the same Will in the presence of the Testator.

Coram

PET. EVANS, Rec'r Gen'l.

BE IT REMEMBERED That on the twentieth day of March, 1738|9, The last Will and Testament of John Casper Stover, Deceased was proved in due form of Law and probated and Letters Testamentary were granted to John Casper Stover, Executor therein named, being first solemnly sworn according to Law well and truly to administer the said Deceased's Estate and to bring a true and perfect Inventory[38] thereof into

[37]The English translation of the will in Will Book F, pp. 126-128 has this affidavit as to the old translation. "I have examined the foregoing with the original in the Dutch language and believe the same a true translation of the original to the best of my knowledge as witness my hand this 20 Day of March, 1738. Christian Grassold, Philad'a.

March 20, 1738. The above named Christian Grassold, upon his solemn affirmation according to law did declare that the foregoing is a true translation of the original will of John Caspar Stoever, written in the Dutch language, according to the best of his knowledge, coram Pet. Evans, Rec. Gen."

In spite of this affidavit the translation is very poor and confused. For this reason I preferred to make a new translation throughout of the German, not Dutch, original.

[38]No inventory of the estate can be found.

the Register General's Office at Philad[a] at or before the twentieth Day of April next and a true and just account when thereunto lawfully required. Given under the seal of said Office.

PET. EVANS, Rec'r Gen'l.

IX.

[EXTRACTS FROM THE COURT RECORDS OF ORANGE CO., VA., 1739.]

The Rev. John Caspar Stoever exhibited into court a German copy and English translation of the last will and testament of John Caspar Stoever deced, with a certificate, dated the 20th day of March, 1738, under the hand of Peter Evans, Register General at Philadelphia, sealed with the seal of his office. That the original of said copy was proved in his office by the oath of Michael Schmidt, one of ye evidences thereto. And the said Michael Schmidt being called appeared & on his oath declared that at ye af'd office of ye Register General in Philadelphia was sworn as an Evidence to the Original will of John Caspar Stoever, dec'd, and that he believes that the translation of copy presented into court by John Caspar Stoever, ye son of ye dec'ed, was a true translation and copy of ye original will. Thereupon its ordered that the said copy and translation belonged in the Clerk's Office.

Dated March 20, 1738.

Michael Cook complains of John Caspar Stoever, Executor of the last will and testament of John Caspar Stover, dec'ed in custody, yt for that, to-wit, whereas the said testator in his life time, to-wit, the first day of December, 1738, at the parish of St. Mark in the County aforesaid, was indebted to the said Plaintiff in two thousand pounds of Tobacco for certain services as Clerk or Reader in the German Chapelle to the congr. of the sd testator, then being minister to the said congr. at the parish & county afores'd, etc.

Entered ye 27th day of June, 1739.

Mary Pool complains of John Caspar Stoever, Executor of the last will and testament of John Caspar Stoever, dec'd, in custody yt for that to-wit, whereas the said Testator in his lifetime, to-wit, on the tenth day of May, 1734, at the County aforesaid, in consideration that the said pet'r at the special instance and request of the said Testator would come over to Virginia from North Carolina where the said pet'r then dwelt, and live and reside in Virginia with the said Testator & his wife, the daughter of ye sd pet'r or some other place in Virginia, he, the said Testator, in his lifetime undertook and then faithfully promised that he, the said testator, would pay her yearly for her maintenance five pounds current money Virginia, and the said pet'r in fact saith that she trusting to the promise and assumption of the said Testator in form aforesaid made, did on the fifteenth day of May, 1734, aforesaid, come over to & hath ever since dwelt & resided in Virginia with the said Testator & her Daughter aforesaid. Yet the said Testator in his life time or the said Def't, his Executor since his Death, tho often required, have not nor either of them hath yet paid the said pet'r yearly five pounds as aforesaid due for her maintenance, but the same to pay have refused, the said Def't still doth refuse to the Damage of the said pet'r thirty pounds current money, & thereof she brings suit.

[Court ordered John C. Stoever to be produced, but the Sheriff reported that he could not be found as he was living outside of the bounds of the province.]

X.

[Extract from Acta-Historico-Ecclesiastica, Vol. V., p. 893, Weimar, 1743.]

Of the Christian congregation in Spotsilvania we have already given an account in Vol. III., of these Acts, p. 1094f. We have now heard that their minister, Mr. Stoever, who made a trip to Europe, died at sea on his return journey. The new minister, Mr. George Samuel Klug, has safely arrived in

Orange County, also called Spotsilvania, together with his other companions. They thereupon sent a writing to their benefactors in and outside of Germany, from whom they received contributions. This was published in the "Hamburger Berichten," 1741, No. LXVI, p. 558f., and we shall also insert it here:

Orange County in America, August 29, 1740.

Letter of Thanks of the Evangelical Lutheran Congregation in Orange County, Virginia, in America, to all our benefactors, high and low, in and outside of Germany:

The remarkable liberality to which persons of high and low birth, in Germany, Prussia and other places were impelled towards us, their poor fellow believers, living in a distant part of the world, in order to improve by their kind contributions our hitherto poor spiritual condition, due to the lack of the necessary temporal means, such liberality puts us and our descendants under lasting obligations to them. Reverence, love and gratitude are the feelings with which our hearts are filled towards our dearest benefactors. We remember them at all times in our daily prayers and are confident that God, who hears when the poor call upon him, will graciously hear our prayer, remember them in mercy and reward here temporarily, and yonder eternally the kindness shown to us, which will only redound to the advancement of his glory and his service. The Lord, whose mercy reaches as far as the heavens, and whose truth as far as the clouds, increase their possessions ten, yea a hundred fold! And may eternity give to them the most perfect increase of that which they have loaned to the Lord. We shall tell it to our children what the Lord has done to us through them and they will tell it to their children so that their memory will be preserved as a continual blessing among our descendants. When at last, on the great day of resurrection, the books will be opened the names of our most valued benefactors, whom we love heartily, revere with due reverence, and for whom we pray, will be found written in the book of life. The Lord, dwelling in heaven, add to our weak wishes his powerful amen, gather us all who are separated in body, into

his eternal kingdom and into the company of the most perfect and righteous spirits.

This is the wish and prayer to God of the congregation in Virginia, accepting the unchanged Augsburg Confession.

GEORGE SAMUEL KLUG, pastor.
MICHEL KOCH,
MICHAEL SCHMIT,
MICHAEL HOLLT,
MICHAEL KLAR,
GEORG UTZ.

XI.

[EXTRACTS FROM THE HALLE REPORTS, 1749]

[EXTRACT FROM A LETTER OF THE REV. PETER BRUNNHOLTZ, JULY 3, 1749.][39]

When we returned from Lancaster, we received a visit from Rev. Mr. Kluge, of Virginia, three hundred and thirty miles from here, who had settled there ten years ago. He wished to see and become acquainted with our organization. We received him kindly. He went away quietly and well satisfied. May God bless this journey to him.

[EXTRACT FROM REV. JOHN FREDERICK HANDSCHUH'S DIARY OF 1749.][40]

On June 9, [1749] several members of the Consistory brought Rev. Samuel Kluge, pastor in Virginia, to me, who stayed long with me to my great delight, and who was accompanied by me back to town [Lancaster].

[June 11] third Sunday after Trinity. At noon Rev. Mr. Kluge took dinner with me, who had spent yesterday almost the whole day with me. In the afternoon I asked him to preach for me. On the following day he bade me farewell & continued his journey to Philadelphia.

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[39]Taken from *Halle Reports*, new edition, Vol. I, p. 528.

[40]From *Halle Reports*, new edition, Vol. I, pp. 539-540.

June 23. Yesterday Rev. Mr. Kluge stopped again on his return from Phila. and to-day he took leave from me.

XII.

[EXTRACT FROM MUHLENBERG'S DIARY OF, 1749.][41]

In this month of June [1749] Rev. Mr. Klug visited us, who for a number of years has been officiating to a German Evangelical congregation in the province of Virginia. From this country, Virginia, also called Spotsylvania, several years ago, a few German men, among whom one named Stoever is specially to be mentioned, went through Germany to collect money. They collected a sum of almost 3,000 pounds, the third part of which they received for traveling expenses and for their labors, for the rest they built a frame church, bought a tract of land and a number of negro slaves. From this land and slaves the minister derives an ample income, so that he is not in the least burdensome to his congregation on account of his support. He [Kluge] complained that he was alone in this extensive district, most of the inhabitants being Englishmen, and that he had no opportunity of being encouraged and edified by intercourse with German associates in the ministry. He also said, that several of the Zinzendorfians had passed through his congregation,[42] without being able to gain a firm foothold; nor could they well find an entrance in the province, because its laws were severe against such vagrants,[43] who could not show a legal call and valid testimonials. He promised to visit us more frequently, if God should grant him life, because he felt stimulated by it, although he was living three hundred miles away from us.

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[41]From *Halle Reports*, new edition, Vol. I, p. 493f.

[42]For the visits of these Moravian missionaries see *Virginia Magazine*, Vol. XI, p. 240f; Vol. XII, pp. 70-72.

[43]See proclamation of Governor Gooch in *Virginia Magazine*, Vol. XI, p. 228, note †.

NOTE.—In note 3, page 142, the second and third lines were transposed.

VIRGINIA GLEANINGS IN ENGLAND.

Communicated by Mr. LOTHROP WITHINGTON, 30 Little Russell street, W. C., London (including "Gleanings" by Mr. H. F. WATERS, not before printed)

(CONTINUED)

ELIZABETH HOWE, of St. Giles Cripplegate, London, Widow. Will 18 April 1677; proved 30 May 1677. To my son in law Edward Hill, now of Virginia, £5 which Mr. Baker a mercer in St. Lawrence Lane, London, owes me of £140 in hands of Mr. Edward Whitechurch, an Apothecary in Walbrooke, London, shortly to be increased to £150, and also a necklace of Pearle, two gold rings, one with a Table Diamond and one with a Rose Diamond: to my Granddaughter Elizabeth Hill the Table Diamond Ring, to my granddaughter Henrietta Maria Hill my necklace of pearle, and to my granddaughter Sara Hill my Rose Diamond Ring. To my daughter and their Mother, Elizabeth Hill, a Gold seal ring. To my said grandchildren £150. My son in law Edward Hill to come over to England, or his executors to receive the legacies. To my grandchildren not specified a gold Hoop ring each. To my daughter Elizabeth Hill all my brass, Pewter, Bedding, etc. The rest among my grandchildren. Executors: Edward Hill and my maid Sarah Alcorne. Witnesses: Henry Palmer, Tho. Luckett, scr.

Hale, 49.

[Mrs. Howe had evidently been formerly the wife of Sir Edward Williams, whose daughter Elizabeth married Edward Hill, of "Shirley," Charles City county, Va. See this Magazine X, 107. The portraits of Col. Edward Hill and Elizabeth his wife are at "Shirley," as are their funeral escutcheons, the only ones remaining in Virginia. Mrs. Howe was an ancestress of General Robert E. Lee.]

RICHARD YOUNG, Citizen and Cooper of London. Will 7 October 1665; proved 24 November 1665. My estate to be divided into three equal parts, one third to my wife Millicent

Young, one third to my fower children, John, Samuel, and Elizabeth Young. To my son Samuel my dwelling house in Marke Lane, London, he paying for it out of his share. My son John to rebate £350 out of his share, it having been paid him to trade with. My son Richard to take in satisfaction of his share my plantation which I hold jointly with Dorcas Price, widow, lying att Mock Jacke Bay, neare Yorke River in Virginia. To Sarah and Samuell Young, children of said son John Young, £20 apiece when 21. To my sister Elizabeth Wagden, wife of Anthony Wagden, 40s. quarterly till £80 be paid. To each of the children of my said sister £5. To Susan Power, wife of ——— Power, daughter of Ambrose Young, my deceased brother, £10. To Mary and Anna, two other daughters of said Ambrose, they being married, £10 each. To Sarah, another daughter of said Ambrose, £10. To William Wagden, son of said Anthony, and apprentice to my son John Young, £30. To Mrs. Dorcas Price, widow, my wife's daughter, £10. To her four children, £5 each. To Mr. Robert Fox, mariner, and his wife Ann, 40s. apiece. To ——— Burnham, widdow, late wife of Thomas Burnham, 40s. To the Company of Coopers of London, £50, and £10 for a piece of Plate; to George Eyers, Upper Beadle of said Company, or to the then Upper Beadle of said Company, 20s. To the Company of Distillers, London, £10; to Joseph Brooks, or Upper Beadle of said Company, 10s. To the poor of Parish of St. Steyning, London, £5. To the poor of the parish of Ingolsby, County Lincoln, where I was borne, £5. To the poor of Hambleton, County Rutland, £5. To John Butler, the elder, Citizen and Fletcher of London, £5. To Captain Arthur Bayly of Upper Shadwell, County Middlesex, £5. If my son Samuell marry —— Ive, daughter of George Ive of Hall Pavington als Hullington, County Wilts, gent, then I revoke £120. Overseers: John Butler and Captain Arthur Bayly. Executor: my son John. Witnesses: Hugh Rich, Jno. Poultney, servant to John Butler, senior, ser.

Hyde, 145.

[A Richard Young had several grants of land in Warwicksqueake and its successor Upper Norfolk in 1636-43. It is not known whether this person was the same as the testator. But on June 20, 1665, "Mr. Richard Young, Senior," patented 1700 acres in Gloucester county, 900

of which were in Ware parish, adjoining the land of Thomas Todd, and on the west side of Cow Creek at the head of Ware River, and 800 in Ware parish on North River, beginning at the mouth of Back Creek, and adjoining the 900 acres and the land of Thomas Todd, the said 1700 being within the bounds of 2400 acres granted to Edward Dawber, Nov. 25, 1642, and by the heirs of the said Dawber, sold to Mr. Richard Young and John Price, of London, by deed dated June 17, 1659, "said Price dieth and Mr. Young as survivor enjoyeth." The land granted to Dawber was in right of his wife Margaret, daughter of Sir Thomas Gates.]

ROBERT WYNNE of Jordans Parishe of Charles City County in Virginia. Gent. Will 1 July 1675; proved 15 August 1678. To be buried in Jordans Church as near as possible to my son Robert. My estate in England as follows: To my eldest son Thomas Wynne one farm in Whitestaple Parish in Kent near Canterbury, and commonly called Linebett Banckes; if he die, to my son Joshua, and if he die, to my daughter Wodlief. To my son Thomas two houses in Canterbury in St. Mildred's Parish in the same form as the said farm. To my youngest son Joshua Wynne one house and Oatmeale mill lying in Dover Lane without St. George's in Canterbury, commonly called the Lilly Pott, and two houses adjoining where a Ropemaker and one Rawlins were formerly tenants. Touching my estate in Virginia, to my son Thomas all the cattle of his own mark except one cow called Moll which is to be killed for provision; to my son Joshua my plantation called Georges withall the Tobacco houses; to my daughter Woodlief one servant of Fower yeares to serve the next shipping after my decease; to my grandchild and godson young George Woodlief one filly foal. All the rest of my Estate in Virginia and England to my wife and executrix, Mary Wynne. Overseers: Thomas Grendon, Merchant, and my son in law Captain Francis Poythres. Witnesses: Tho. Brome, John Burge.

Reeve, 89.

[The testator, Captain Robert Wynne, was, in his day, one of the most influential men in Virginia. Beginning his service a representative for Charles City county at the sessions of March, 1657-8, and March, 1659-60, he was during the entire existence of Virginia's "Long Parliament" 1661-1674, Speaker of the House of Burgesses. It would appear from his will that he married a widow Poythress. The Woodliefs are

believed to be descendants of Captain John Woodlief, who came to Virginia in 1620 to take charge of the well-known Berkeley plantation, in regard to which the "Smith of Nibley Papers," now in the New York Public Library, give so much interesting information. Robert Wynne's sons were living and married early in the 18th century. Thomas Wynne, gent, of Prince George county, was living in 1707, and then aged 50. In November of the same year, he, together with Agnes his wife, made deeds, recorded in Surry, to his daughter Mary Melone, and his son Robert Wynne. Major Joshua Wynne and Mary his wife, deeded a tract of land in Surry in 1708. In that year he was a justice of Prince George county. These brothers are believed to be ancestors of the Wynnes of southern Virginia.]

DANIEL PARKE of London, Esquire. Will 11 August 1677; proved 16 September 1679. To my son Daniel Parke all my Plantations and Negroes in Virginia, and to the heirs male; failing heirs male, to the heirs at law, providing they take the name of Parke; failing his issue, to my eldest daughter and her heirs, they also to take the name of Parke. To my daughter Evelring Parke £1500 of lawful money of England when she is 18 or day of marriage. To my daughter Rebekah Parke £1500 when 18 or married. To my daughter Jane Parke £1500 when 18 or married. If any die, to the survivors of them. All money remaining in England and coming from the sale of Tobacco and profits of Shipping to be put into the Chamber of London for my said daughters' benefit. To my friends Coll. Edward Carter, Mr. Michaiah Perry, Mr. Thomas Lane, James Bray, Esq., and Mr. Robert Cobb, £5 apiece to buy them rings with. All the rest of my estate in Virginia and England to my son and sole executor, Daniel Parke. Executors in trust for England: Coll. Edward Carter, Michaiah Perry, and Thomas Lane. Executors in trust for Virginia: James Bray and Robert Cobb. Witnesses: Rowland Place, junior, Samuel Pettit, John White, servant to Hen: Faucon, scrivener. ["Sometime of London Esquire, but now in Virginia in the parts beyond the sea deceased."—Probate act book.]

King, 120.

[Daniel Parke, doubtless a son of William Parke, whose will was printed in this Magazine XIII, 192, seems to have been in Virginia when a child. He was born, according to a deposition, about 1628, and probably lived for a time in England. He was in Virginia in 1652, was

a justice of York county 1653, and sheriff 1659; was a Burgess for York county in 1666 and doubtless at other sessions of that long Assembly; was sworn as member of the Council June 21, 1670, was Secretary of State 1678–79, and was at the same time Treasurer. He married, in or before 1658, Rebecca, widow of Bartholomew Knipe, of Virginia, gentleman, and daughter of George Evelyn. On Nov. 25, 1658, a renewal patent was granted to Robert Bourne and Daniel Parke, gentlemen, for 580 acres in York county on the south side of York River, adjoining the lands of Richard Ford, Thomas Smith, the Rickahock path &c., formerly granted them on Oct. 8, 1655. Daniel Parke, his wife, &c., headrights. On March 24, 1662–3, Captain Daniel Parke was granted 528 acres in James City county on the west side of Rickahock Path, and on the cart path that goes from Mr. Sorrel's to Mr. Barker's, adjoining the land of Col. Pettus, the path that goes to Chickahominy Gate, &c., sold in part to said Parke by Christopher Harris, and in part by Mr. Robert Sorrell.

On the wall of Bruton Church, Williamsburg, is a tablet with the following inscription:

"Near this Marble Lyes
ye HON'BLE DANIEL PARKE
of ye County of Essex Esq who
was one of his Ma'ties Counsellors
and some time Secretary of the
Collony of Virg'a he Died ye 6th of
March Anno 1679
His other Felicityes were crowned by
his happy Marridg with REBBECKA
the Daughter of GEORGE EVELYN
of the County of Surry Esq she dyed
the 2d of Ianuary Anno 1672 at Long
Ditton in ye County of Surry and
left behind her a most
hopefull progeny."

It should be noted that the counties named in this epitaph are English, not Virginian.

One of the "hopeful progeny" was the noted (or notorious) Col. Daniel Parke, who was born in 1669, was appointed to the Virginia Council in 1692, removed to England where he purchased an estate in Hampshire and was elected to Parliament; but was unseated for bribery, then entered the army and distinguished himself greatly at Blenheim as one of Marlborough's aids. In recognition of his gallantry the Duke sent him to England with the first news of the victory. A fac simile of the brief note has been published in one of the lives of Marlborough. Parke was then appointed Governor of the Leeward Islands, and was murdered in a riot at Antigua, Dec. 7, 1710. A copy of his will is in the

"Byrd Title Book," Virginia Historical Society. Two fine portraits of Daniel Parke the younger, by Kneller, are in Virginia, one at "Brandon," which descended through the Byrd family, and another at Washington-Lee University, the property of the Lees, which came through the Custis family. The younger Daniel Parke married ——— Ludwell, and had two children, Lucy, who married Col. Wm. Byrd, of "Westover," and Frances who married Col. John Custis]

RICHARD FEILDING. Will 16 July, 1666; proved 22 June 1667. [Abstract printed in this Magazine XI, 455, 456].

["Richard Feilding of Bristol, now beyond the Seas."—Probate Act.]

JOHN SMITH, Citizen and Cooke of London. Will 20 April 1672; proved 5 July 1672. To my eldest son John Smith £30 a year for 12 years from my decease and £10. To my daughter Marie Smith, wife of my said son John Smith, £20 a year for 12 years, all the bedding and furniture of the Great Room, and also of the room in which my sister Anne Poynter now lodgeth, and all my plate. To my grandchild Thomas Smith, sonne o my said son John Smith, £300 when he is 21; to my granddaughter Anne Smith, daughter of my said son John Smith, £300 when 21 or married; to my grandchild John Smith, son of my son John Smith, £300; or to the survivors of them when 21. If they all die, money as follows: to their father John Smith £225; to my granddaughter Abigail Pouchin, daughter of my son in law George Pouchin, £225; to her brother George Pouchin £225; all out of the £900 after the decease of said three grandchildren. To my granddaughter the said Abigail £150 when 21. To the said George her brother £150 when 21. To my granddaughter Bethia Smith, daughter of my son William, £225, being part of the said £900, if my said three grandchildren die. My executors to take my sister Anne Poynter to live with them, or to pay her £15 a year for life. To Allen Whore, now in Virginia, £10, in case he shall return into England within six months next after my decease. To my maid servant Elizabeth Wilshem £20. All the rest to my executors, my son William Smith and my son in law George Pouchin, to be guardians to my said grandchildren Thomas, Anne, and John Smith. Overseer: my friend James Windus.

Witnesses: James Windus, Scr., Edward Cole, Robert Stamper, his servants. [No parish in probate act].

Eure, 93.

JOSEPH HAYES, parish of Ware, County Gloucester in Virginia. Will 26 December 1677; proved 8 June 1678. To James Taylor one suite of Cloath, Hatt, and Stockens which are in the hous. To Sarah Collier my cow and yearlings and Calf. All the rest of my estate to my wife and sonne and do make them executors. To John Greene my Coate and Breeches I have now wearing. I doe empower my good Friends James Taylor and Mr. Mordecai Cooke, my Trustees, to settle all accounts with my master in Virginia, and after my debts satisfied, the remainder to be sent home to England. Witnesses: John Bartlett, John Greene.

Reeve, 64.

JOHN MARTIN, of Stepney, County Middlesex, Marriner. Will 20 October 1684; proved 23 October 1684. Whereas I am indebted to divers persons for several sums of money and more especially to Micaiah Perry of London, Merchant, and Thomas Lane of London, Merchant, in the full sum of £300, all my estate in England and my two plantations in Virginia to be administered by the said Micaiah Perry and Thomas Lane till all debts be paid; then the surplus to go to my wife Mary, who is to take care of my daughter Margaret by my former wife; when said daughter is 18 or marryed, she is to have the estate in Virginia. Witnesses: Samll Sandford, John Rogers, Joseph Burley.

Hare, 128.

[Capt. John Martin was long the master of a ship in the Virginia trade. Mariners in this trade frequently owned land and servants in Virginia. His first wife was Margaret, only daughter of Daniel Wild, of Virginia, by whom he had an only child Margaret, who, as Margaret Martin, spinster, of Cheshunt, Herts., England, sold in 1703, 470 acres in Virginia.]

ROBERT FANNING of Barking neere Tower Street, London, Tayler. Will 29 May 1672; proved 7 July 1672. To be buried in Parish Church of Barking aforesaid. My three houses at the Horse-ferry in Westminster, County Middlesex, under the yearly rent of 20s., granted from one Mr. Dauis. the farther-

most house westward in possession of ———, to the Master and Governors of Christs Hospital for the use of the poor of said Hospital; to my loving mother Elizabeth Fanning the other two houses, and after her decease to my Kinsman John Fanning now in Virginia, and son of James Fanning deceased; if he die before my mother, I give one of the houses to John Burges, the other to the children of my sister Mary or the survivor of them. To my neice Sarah Swetnam, daughter of my brother in law ——— Swetnam, my house on the Mill-banke at Westminster whereof Mr. Gentle is now tenant. To my godson Abraham Parrat my silver chafing-dish, my silver Sugar-dish, and my silver Porringer. To John Browne that went into Virginia with Mr. Allen and John Fanning aforenamed £50. To my friend Robert Moulton, son of Robert Moulton of Dover, £10 for a ring; if he be dead, to my sister Katherine Ebourne, to whom I give £10. To my sister Elizabeth Bryan £5. To my sister Mary Etherington 1s; to her four youngest children £20 to be paid to my brother in law John Etherington. To the parish of Uxbridge, County Middlesex, £5. To the Parish of Barking £5. To my friend Anthony Standford my great Looking-glass now standing in my chamber. All the rest of my household stuff to my mother. To my servant George Saunderson all the Things of my trade. To my man Phillip Pritchard all my coarse shirts and £10. To Mr. Robert Tirrell £10. To Mrs. Fortuna Fanning, widow, £10. To Mrs. Haddocke, wife of Mr. Richard Haddocke, beltmaker, 40s. To my loving friends Mr. Thomas Allen, Mr. Thomas Carter, Mr. Edward Weldon, Mr. John Parrat, Mr. Richard Spire, Mr. George Hudson, 20s. each. Executor and residuary legatee: John Burges in St. Mary Axe. To John Daniell his cane staffe and 10s. To Sir John Kempthorne's son Rupert, my ivory George on horseback. To Arthur Miles, Scrivener, my best Hatt. Witnesses: Tho: Brottrell, Will: Houlding, Arthur myles, Scrivener.

Eure, 76.

JOHN SARGENT, of St. Mary Magdalens, Bermondsey, county Surrey, Weaver. Will 17 July 1701; proved 9 October 1701. I forgive my son-in-law William Batey £320 he owes me. To my grandson John Batey, son of said William, £150. To my

grandson Benjamin Batey £150. To my grandson William Batey £150. To my granddaughter Elizabeth Batey £268. To my grandson John Voll, son of my daughter Rebecca Tyre (now wife of Jame Tyre of New Kent on the South Side of Yorke River in Virginia) by Jacob Voll, deceased, her late husband, £150. To my granddaughter Rebecca Voll £268. To my granddaughter Elizabeth Tyre £268. To be paid when boys reach 21 and girls at marriage or 18 years old. To William Dorrell of the parish of Creedchurch, London, weaver, £5. To Zachary Dorrell, senior, £5 and 10s. he oweth me. To my servant Dorothy Cook £5 and a bed with the furniture. To the poor of St. Mary Magdalens £5. To Margaret Marriott, widow, 20s. to buy a ring in remembraunce of me. All the rest to my friends Samuel Enderby, Senior, and John Washford, both tanners, in trust for my two daughters Elizabeth Batey, wife of the said William Batey, and Rebecca Tyre aforesaid. Assistants to my executors and overseers: John Rous and Joseph Rous, Scriveners on London Bridge. Witnesses: Samuel Enderby, junior, Sam'l Board, Matthew Fryer, all in Long Lane, Southwarke. Codicil 29 September 1701. £20 to be spent on my funeral and all money left after payment of charges to be divided amongst my two daughters. Witnesses: Edward Besst. Tho. Welham, Notary Public. Codicil 28 September 1701. Revokes Samuel Enderby and John Washford as executors and appoints John and Joseph Rouse in their place. Witnesses: Sam'l Board, Tho. Welham, Notary Public. Codicil 26 September. My granddaughter Rebecca Voll to have only £209, Elizabeth Tyre only £209. The money taken away from them to be paid to my 8 grandchildren, share and share alike. Witnesses: Tho. Stringer, Sam'l Board.

Dyer, 143.

THOMAS LEE, mariner. Will 8 October 1700; proved 2 January 1702–3. Now bound to Virginia in the ship Levitt, Captain Bagwill, commander. All wages, money, lands, goods, and estate whatsoever to my honoured father Francis Lee. Executor: My Landlord Thomas Cornelius. Witnesses: Henry Hinde, Thomas Ruddell, Jno. Cornelius. [Probate granted to the

father Francis Lee of the will of Thomas Lee, deceased, H. M. S. Draggon, Thomas Cornelius, executor having renounced.]

Degg, 10.

["Mr. Francis Lee" was a justice of Northumberland county, Va., in 1673. There is in Middlesex a deed dated April 10, 1677, from Erasmus Wethers and Frances his wife, of Middlesex, to Francis Lee, of Buttolfe Lane, London, merchant, and in the same month a deed from "Francis Lee of Butolphe Lane in London, citizen, and formerly an inhabitant of Dividing Creek [Northumberland county] in Va." There is a power of attorney, dated May 18, 1684, from George Lee, of London, merchant, to his son Francis Lee, empowering him to collect money due from the estates of Daniel Wild and Captain John Martin. And also, recorded in Middlesex, Sept. 3, 1699, a power of attorney from Francis Lee, citizen and merchant, of St. Dionis Backchurch, London, to William Churchill of Virginia.]

REVOLUTIONARY ARMY ORDERS

For the Main Army under Washington. 1778-1779

(From Originals in the Collection of the Virginia Historical Society.)

(CONTINUED.)

Head Quarters Vally Forge May 27, 1778.

Brigadier to morrow Varnom.

Field Officers L[t] Colonel Read & Major Murry.

Brigade Major Senike.

Inspector from Scott's Brigade.

The Commanding Officers of Regiments are to make Returns on Fryday next of the Arms that were in possession of their respective Corps the 1st of November last, of those they have since delivered in of those they have since drawn and of those now actually in possession, it is expected they have allways exact accounts kept of Arms Clothing Camp utensils &c as thay must be responsible for the due application. Major Gen'l Mifflin having been permitted by Congress to Repair to

& serve in this Army is to take the Command of the division late Lincolns. The Field Officers of Regiments who have drawn Money from any Publick Officers for Recruiting their respective Corps are desired as soon as possible to furnish the Auditors of the Army with lists of Money advanced by them to their Officers for that Purpose.

Captain Stubblefield* is appointed Aidde Camp to Major General Lee till further Orders and is to be respected accordingly. Officers are to see that the mud plaistering about the hutts to be removed and every other method taken to render them as airy as possible they will also have the powder of a Muskett Cartridge burned in each hutt dayly to purify the air or a little Tar if it can be procured. The Commissary of Military Stores will provide blank Cartridges for that purpose.

	S	S	C	P
Detail for Guard . .	1.	1.	–	6
3 days Command . .	–	1.	–	3
In Guards . . .	–	–	1.	7
Quarter Guard . .	–	–	1.	6
	1.	2.	2.	22

R. O. May 27 1778

Ordered that the men this evening at Retreat beating have their Napsacks, Blankets and all their Cloathing that thay may be examined and they are Ordered for the future to do the same on every Saturday evening, its also desired that the Orderly Officer of the Regiment for the day will visit the Quarter Guard and make a Report to the Commanding officer of the Regt. and that they will be more punctual in makeing their Reports than heretofore.

W. BRENT, Lt. Colonel.

*According to Heitman, Beverley Stubblefield of Va. was not commissioned Captain until 1781, and the same authority states that Capt. George Stubblefield of Va. was commissioned Major, April 1, 1777, and resigned Feb. 22, 1778.

Regimental Orders May 28 1778

A Regimental Court Martial to set immediately for the tryal of all Prisoners that may be brought before them to Consist of the following Members:

Capt. Brown, President.

Lt. Stubblefield, Lt. Ewell,
Lt. Campbell, & Lt. Hoomes.

Head Quarters May 28, 1778.

Brigadier Gen'l to morrow Scott.
Field Officer Colonel Erving & Lt. Colo'l.
Brigade Major Johnson.
Inspector from 1st Pensylvania Brigade.

The Commanding Officers of Brigades in persuance of former Orders to hold themselves in Readyness to March are to apply immediately to the Q. M. General for a sufficiant number of Waggons to transport their Baggage and are to have their respective Brigades supplyed as Completely as possible with Camp utensils & necessaries of every kind Requisit towards takeing the field. The Commissaries will have a quantity of hard bread and Salt meat be issued to the Army when called for, As we may expect every Moment to march the Army is to be prepaired in all respects for that purpose—the Guards of every kind are Constantly to keep themselves in a Collected State with their accoutriments on and ready to act at a moments warning. The General therefore forbids all exercises and diversions perticularly such as cause them to dispurce and put off their accoutriments which equally inconsistant with their Security, and good discipline. A board of Gen'l Officers are desired to set to morrow morning at 10 O'clock at Gen'l Lees Quarters, to examine into Lt. Colonel Regnair Clame of Rank in the New York Line and report their opinion thereon, the other Lt. Colonels of that line present are desired to attend. The Commander in Chief will lay before the board the memorial presented by Lt. Col'l Regnair with some other papers.

A Court of Inquiry to set tomorrow to examine into the Con-

duct of Lt. Colonel Parke[1] reported to have been absent from Camp without leave and to have been negligent in his duty all Persons Concerned will attend. Colonel Johnson is appointed Presidant Col'o Parker[2] Lt. Colo's Bonner and Carr & Major Fenne[3] will attend as members at the Presidants Quarters at 9 O'clock to morrow morning—Returns from the several Brigades of such Clothing & necessaries as are actually wanting to be made next Saturday at Orderly time. At Brigade Court Martial May 25 1778 Colonel Bowman Presidant Adjutant Bowyer[4] of the 12 Virginia Regiment tryed for furnishing two Soldiers with the Countersign to go into the Country to buy provisions found Guilty of a breach of the 11th Article 13 Section of the articles of war and sentanced to be dismissed the Service. The Commander in Chief approves the Sentance but in Consequance of Mr. Bowyers good Character as an Officer not withstanding so material a breach of the Rules of discipline he is charged with in the present Instance is induced to restore him to his office.

	S	C	P
Detail for Guard . . .	1.	–	6
In Guards	1.	1.	7
Quarter Guard . . .	–	1.	6
	2.	2.	19

G. O. May 29 1778.

Brigadeir Gen'l to morrow Huntington.
F. O. Lt. Colonel Burr[5] & Major Sell.
Brigade Major Siely.
Inspector from 2d Pensylvania.
The Commanding Officers of Regiments and Corps are not

[1]Heitman gives the name of no Parke who was Lieutenant Colonel at this time.

[2]Either Col. Richard or Josiah Parker of Virginia.

[3]The only Fenn in Heitman is Thos. Fenn of Virginia, whose highest rank is given as Captain-Lieutenant.

[4]Lieutenant Henry Bowyer who served to the close of the war.

[5]Aaron Burr.

under any pretence whatever unless duty Requires it to permit their Officers or men to be absent from Camp that they may be ready to march at a moments warning. At a General Court Martial Colonel Chambers President May 25, 78 Captain McDarris of the North Carolina Brigade Tryed for Forgery after mature deliberation the Court are of opinion that Captain McDarris is Guilty of the Charge exhibited against him but as he Could not have been actuated by motives self interested or injourous to Capt. Jones (the Gentlemans name he signed) and as he had before been perticularly acquainted with Captain Jones' centiments, the Court think his Crime (tho he be yet truly blameworthy) eleviated by this Circumstance, do Sentance him to be repremanded in Gen'l Orders. The Commander in Chief approves the sentance and is much concerned to find that an Officer in this Army should presume to Sign a brother officers name without his permission. Capt. McDarris is releasd from his arrest.

At the same Court W'm Whiteman Waggoner tryed for desertion and Sentanced to Receive 60 lashes approved and ordered to be put in execution to morrow morning at Guard Mounting.

Also John Clime of the 10 Pensylvania Regiment Tryed for desertion and attempting to make his escape to the Enimy 2dly for Stealing a horse found Guilty of both Charges aledged against him & Sentanced to Receive 200 lashes, 100 for each Crime. The General approves the Sentance and Orders it to be put in execution on this evening at Roll Call at the head of the Regiment to which he belongs.

Also John Wood Sergeant of the 8 Pensylvania Regiment Tryed for desertion & attempting to escape to the Enimy acquited and Ordered to be released from his confinement.

B. O. the first 5 & 9 Regiment to Parade for Muster on Monday next at 7 O'Clock A. M., the German & State Reg's at 5 O'Clock P. M. of the same day. The men are to be brought on the Parade in the manner derected in Gen'l Orders of the first Instant. The Rolls must be made out with the greatest accurecy and fairness and no one on less than half a sheet of paper, in which the dates of the officers Commissions or appointments and the terms of time for which the men were

enlisted must be inserted, the number of Privates in each Colum to be drawn in an exact line, the present to stand foremost in the Roll the absent next the non effectives last of all.

PETER MUHLENBURG.

	S	C	P
Detail for Guard . . .	1.	–	6
Command	1.	–	1
In Guards	–	1.	7
Quarter Guard . . .	–	1.	6
	2.	2.	20

G. O. Head Quarters May 30, 78.

Brigadier Gen'l tomorrow Patterson.

F. O. Colonel Bradley[6] & L't Colonel Fraizer[7].

Brigade Major Marshall.

Inspector from Poors Brigade.

Commanding Officers of Brigades are to appoint a sufficiant number of proper officers to be left in Charge of the Sick & such other of their respective Brigades as will not be able to march in Case the Army moves from this present Camp. The Regimental Surgeons will make out and lodge with the Surgeon General of the flying hospitul exact Returns of the Sick belonging to their several Regiments who shall be left in Camp when the Army Marches.

The Board of General Officers held agreeable to Gen'l Orders of 28 Instant have made the following Report of the Claim of Lt. Colonel Regnair and other Lt. Colonels of the State of New York, respecting their standing in Rank, being Considered, the Board of opinion that Lt. Col. Regnair will take Rank of those Gentlemen upon Courts Martial detachments and all other duties from the Line but that they Command him in the line of the State for notwithstanding Lt. Colo. Regnair's Rank as Lt. Colonel was antecedent to theirs in the line yet his appointment in that State was posterior. The Commander in Chief approves the above Report.

[6]Philip B. Bradley of Connecticut.

[7]Persifor Frazier of Pennsylvania.

At a Gen'l Court Martial May 28 Colonel Chambers presidant Ensign James Walker[8] of Colonel Gists Reg't Tryed 1st for deserting a waggon he had in his Charge at the appearance of one of our light horse and loseing his party in the plight 2ndly for telling several falseities in relating the event after Returning to Camp, Unanimously found Guilty of the Charges exhibited against him being breaches of the 5 Article 18 Section & the 21 A & 14 Section of the Articles of War and Sentanced to be Cashiered. The Commander in Chief approved the Sentance and orders it to take place immediately. At the same Court Jno. Lewis of Colo. Angles Regiment tryed for threatning the lives of several officers of that Regiment found Guilty and Sentanc'd to receive 60 lashes approved and Ordered to be put in execution at Roll Call this evening at the head of the Regiment to which he belongs.

Head Quarters May 31, 1778.

Brigadier Gen'l tomorrow Waine.

F. O. Colo. Levenston & Lt. Colonel Miller.

Brig'e Major Marvin.

Inspector from Glovers Brigade.

The 2d State Regiment from Virginia is for the present to be anext to Gen'l Muhlenburgs Brigade, Colo. Vanskorke Reg't till further Orders is in like manner to be Joined to the 2 Pens'a Brigade in leu of the 8th Pensylvania Regiment which is to be detached on other Service. A surgeon from each Brigade is to remain in Camp to attend the Sick of it which shall be left behind under the direction of Doctor Hutcherson till Releived by Surgeons from the General Hospital when thay are immediately to Join their Respective Regiments. Men in the Small Pox or under Ennoculation are to be comprehended in the number of Sick.

The Regimental Medicine Chests are to go on with the Army a sufficient number of Camp kittles must be left for the Sick. The Commanding Officers of Regim'ts will assist the Regimental Surgeons in procureing as many Women of the Army as Can be prevailed on to serve as nurses to them who will be paid the

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[8] James Walker of Maryland.

usual price. Orderlies are also to be left one to every 20 Sick Men, these shoud be Chosen out of such as are, for want of Cloathing, from lameness & the like least fit to march with the Army but at the same time Capable of this duty. A Commissary is to be left to Supply the Sick with provision. A Commiss'd Officer for every 50 Men is to remain & a field Officer to superintend the whole, the Arms of the Sick in each Reg't are supply as far as may be necessary the deficiency in it of those fit for duty. If their are any Remaining they are to be left in the Care of the Officers who are to stay with the Sick. The necessarys are to be well Covered before the Brigades quit the Ground. Commanding Officers of Divisions and all others are to pay the Strictest attention that no Women be suffered on any pretence to get into the Waggons of the Army on the March.

	S	S	C	P
For Guard . . .	1.	1.	–	6
In Guards . . .	–	–	1.	7
Q'r Guard . . .	–	–	1.	6
	1.	1.	2.	19

(TO BE CONTINUED)

NOTES FROM COUNCIL AND GENERAL COURT RECORDS.

By the late CONWAY ROBINSON, Esq.

(CONTINUED.)

The following commission furnishes some ground for supposing that John West may have continued governor as late as the 11th of May, 1636:

"By the governor and captain general of Virginia.

Whereas the instant danger and necessity of the colony exacteth this so strict a course, these are to authorize and further

in his majesty's name to will and require Lieut Richard Popely to take his voyage in a ——— whereof is owner and master Joseph Stratton and now riding in Charles river alias Pamunky river and with the first fair wind and weather to set sail into the Chesapian bay and into a river or creek thereof in pursuit and enquiry of Captain Henry Fleet[1] and to apprehend him and bring him prisoner to the governor as also to take and bring in a vessel that one David Wittleife[2] is gone out in with the said David and his company and further to take and surprize any boats and vessels with those in them whom he shall find trading without commission from the governor and in case of resistance either from the said Captain Fleet or any other that he compelleth in by force, having first charged him or them in the king's name to yield themselves, by that mean if possible it may be to avoid the effussion of blood, these are also further in his majesty's name to will and require as well the said Joseph Stratton as any other of his majesty's subjects to be aiding and assisting to the best of their power and endeavors to the said Lieut Popely in their execution of the premises. Hereof fail you not as you or any of you will answer the contrary at your perils. Given under our hands at Little Town[3] in the co'y of James city this 11th of May 1636.

John West,

John Utye, Rich'd Kemp,
George Minefye, Henry Brown."

As there is a precept of Sir John Harvey bearing date on the 16th of February, 1637, it may be regarded as certain that he was acting as governor on that day if not sooner.

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[1] Captain Henry Fleet, a native of Kent, England, came to Virginia, prior to 1623, and was long actively engaged in trading with the Indians. For to notes on him and his family see this Magazine II, 70-76; V, 253-254.

[2] David Wickliffe, as the name should be, settled in Maryland about 1638, and his son David, who removed to Virginia, is stated to have been the first male child born of Protestant parents in Maryland. See William and Mary Quarterly, X, 76-77.

[3] Little Town or Littleton, on James river, near Williamsburg, was at one time the plantation of the Pettus family. It is believed to have been at this date the home of George Menifye.

There was an assembly in 1637 at which it was enacted that it should be adjudged felony in any person or persons to barter with the Indians for pieces, powder, shot or other arms or ammunition or any other commodities whatsoever without commission from the governor. Of this assembly Mr. Hening makes no mention; but the fact of its having been holden and of such an act having been passed, is set forth in the seventeenth act passed at the session of January, 1639, as will be seen hereafter.

There was also an assembly in October, 1638, which Mr. Hening does not mention. It appears however by the twenty ninth act passed at the said session of January, 1639, that there was an act of assembly of the 22d of October, 1638, concerning burgesses charges, and it appears by the thirty first act passed at the said session of January, 1639, that it was enacted at the grand assembly bearing date the 22d of October, 1638, that all innholders and ordinary keepers should be rated at six pound of tobacco or eighteen pence in money for a meal or gallon of beer, to be paid at the discretion of the guests. Commissions are yet extant which were issued by the governor early in 1639 to persons in Elizabeth city county to keep "a common ale house and victualing house." They provide that the party commissioned should not suffer any unlawful games to be used in his house nor any evil rule or order to be kept within the same.

Sir John Harvey continued to be governor during the greater part if not the whole of the year 1638, and bore very hardly upon a clergyman of the name of Anthony Panton[4]. He received from the church wardens of York and also of the parish of Chiskiack such tobacco and corn as were due unto Panton for 1638, and afterwards pronounced a sentence againstPanton of a most extraordinary character. A letter of Harvey is still remaining wherein he addressed the parishioners of Chiskiack in these terms: "You the parishioners of Chiskiack, I desire you to shell the tythe corn in your custody because I shall have occasion to transport it by water for my use to Jamestown.

James city, this 19th of March 1638.

Your loving friend John Harvey."

[4] For notes of this affair see this Magazine V, 123-128, XI, 170-172, 390, 391, 393.

This serves to give some insight into the character of the man in one aspect.

The sentence of the court given at James city the 8th of October, 1638, exhibits him in another. That sentence was by Harvey the then governor and by the then council. Panton was by them pronounced published and proclaimed an exile and banished man from the colony. He was prohibited forever from claiming or enjoying any part, portion or inheritance within its limits. And he was required to depart from the colony in the first ship and not to return upon pain of death or present execution without further judgment. Of this edict all his majesty's officers and subjects were commanded to take notice, and in case of his return the court gave authority to all persons whatsoever that they or any one or more of them should or might arrest, take and execute him. We are without information of the charge which was made the pretext for such a sentence. It will be seen hereafter that those who gave this judgment were not sustained either by their successors or by the privy council in England.

Mr. Hening states that Harvey continued governor till November, 1639 (1 Stat. at Large, p. 4), but in this he is certainly mistaken. Sir Francis Wiatt came in long before November. Amongst many evidences of this fact, may be adduced the following commission and order [not entered].

After the assembly of January, 1639, Mr. Hening mentions no other until 1642. There were however other sessions of the assembly in the interval.

That there was a session in October, 1639, appears by account of the sheriff of Henrico county, wherein Henrico is not only made debtor by the act of assembly of January 6th, 1639, but is also made "Dr by act of assembly October the 21st Anno Dom. 1639" and likewise appears by the receipts to the sheriff for what he paid in discharge of those debits. For example one of those receipts dated 7th of April 1640 specified that the money received is "by the appointment of the burgesses of the assembly in October."

There was also another assembly called soon after the following proclamation, [not entered].

Sir John Harvey was acting as governor after this at least as

early as the 16th of January, 1637. For by a patent bearing date on that day, he granted to Arthur Bayley, of Curles, merchant 800 acres of land in the county of Henrico bounded southerly upon the land of Samuel Almond[5] westerly upon the river, northerly towards the falls and easterly in the woods. The adjoining land of Almond was 200 acres about two miles below the falls granted him for the personal adventure of himself and the transportation of three persons into the colony.

From these acts of January, 1639, and other proceedings of the same period, much interesting information may be gathered.

By the 34th act it appears that there were in the colony then 4,621 tithable persons. And the patents which yet remain shew which was done at that time to add to the population and enlarge the quantity of land in cultivation. They also shew what part of the colony the settlers were then occupying.

In March, 1639, there was granted to George Minifee Esq'r one of the council of state 3000 acres on the north side of Charles river for the transportation into the colony of 60 persons of whom 15 were negroes; to Captain Nicholas Martian 1300 acres in the county of Charles river, to wit: 600 for adventure of himself, his wife and ten persons first year to Chiskiack[6] according to order of court bearing date the 8th of October, 1630, and 700 for the transportation into the colony of 14 of whom three were negroes; to Captain Richard Townsend 650 acres in the county of Charles riv'r, to wit, 350 acres for the adventure of himself, his wife and five servants the first year to Chiskiak and 300 acres for the transportation of himself, his wife and 4 persons into the colony; to Robert Felgate 400 acres in the same county for the transportation of 8 persons into the colony; to Henry Perry 2000 acres of land called Buckland[7] in Charles city county, to William Burdett 1050 acres in the county of of Ackowmack for his own personal adventure and the trans-

[5] Almond's Creek not far below Richmoud marks the situation of this grant

[6] Chiskiack on the present York river. It was a frontier point, exposed to Indian attack, and grants of land were offered to those who would settle there.

[7] "Buckland" greatly reduced in size, still retains the name.

portation of 20 persons into the colony; and to Richard Cocke gent 2000 acres of land in the county of Henrico for the transportation into the colony of 40 persons of whom one was a negro woman, 300 acres of the land being at Bremo and 1700 acres upon the head of Turkey island creek called by the name of Mauborne Hills.[8]

In October, 1639, there was granted to Francis Martin 250 acres in the county of Accomack for the transportation of 5 persons into the colony.

In December, 1639, there was granted to Stephen Webb land in the county of James city at a place called the lower Chipoaks of which 100 acres was for the transportation of 2 persons into the colony; and to Peter Rigbye 100 acres of land in the parish of New Poquoson in the county of Charles Riv'r for the transportation of 2 persons.

In 1640 there was granted the following quantities of land to wit: in April to William Jones 100 acres in Accomack county; in May to William Allen of London Merchant 600 acres in the county of Charles river along Sandy point; in June to John Davis 450 acres in the county of Charles river upon the head of Queen's creek; in July to Stephen Gill 350 acres in the same county upon the same creek; to Thomas Harvey 950 acres in the county of James city known by the name of Harvey's neck; to John Felgate 1200 acres in the same county upon the eastern side of Chickohomini river; and to Robert Holt 700 acres in the same county on the same side of that river; in August 1640 to Henry Porter and Raphael Joyner 350 acres in the same county on the same river; to Bridges Freeman 100 acres in the same county; to John Radford 200 acres in the county of the lower Norfolk on the western branch of Elizabeth river and to William Crimage 700 acres in the county of Isle of Wight, 400 acres part thereof lying upon the head of Pagan bay creek and the residue laying upon the head of a branch issuing from the said creek; in October 100 acres in the county of the upper Norfolk upon the western branch of Nansemond river and to

[8] "Bremo" and "Mauborn Hills" or "Malvern Hills," Henrico county, were long owned by the Cocke family. The latter has been made famous by the great battle.

Thomas Isles 225 acres in the county of Charles river; and in November to Randall Crew 450 acres in the county of the upper Norfolk upon the head of a creek which issueth from the southern branch of Nansemond river.[9]

The grants usually provided that the land should be held of the king his heirs and successors as of his manor of East Greenwich in free and common socage and not in capite nor in knight services, yielding and paying seven years after the date of the grant the rent of one shilling yearly at the feast of St. Michael the Archangel to his majesty's use. And they also provided that if the grantee his heirs or assigns should not plant or seat on the land within three years after the date of the grant, it should be lawful for any adventurer and planter to make choice and seat upon the same.

[The following paragraphs within brackets are partially erased by cross lines, in the original notes.]

[A title under a patent was frequently transferred by deed. When the grantors were a husband and wife, the deed would express that "they did so in the presence of the court acknowledge a fine and suffer a recovery to be passed and recorded in as large and real manner and to all intents and purposes as is and hath been usual in the kingdom of England." There is a deed in these terms bearing date the 8th of April, 1640. After an assignment of a title under a patent, a new grant was frequently issued to the assignee. Some of the grants before specified were of this nature. It happened too sometimes that at the time of assigning a right, no patent had issued]

It is proper to remark that the importation of persons into the colony which formed the consideration of a grant was not always immediately before the date of the grant. In making some of the grants just mentioned, Sir Francis Wiatt did what had been omitted by his predecessors. And in some instances a new grant issued in renewal of a patent formerly issued to one person and assigned by him to another.

The private deeds of parties furnish some information as to the course of dealing and mode of transferring rights. There

[9] These grants are of record in the Land Office in Richmond.

is a covenant of the first of December 1637 from a citizen of London with a planter of Virginia to deliv'r him in a year, three servants viz: two men and one maid servant, to serve the planter his heir or assigns after their arrival in Virginia, for the term of four years, and a deed of the 12th of April, 1640, from an inhabitant of Virginia to a merchant of the same conveying land "in consideration of six servants and a beaver to be delivered unto him at the next year's shipping and four servants more the year after at the said time of shipping."

As indicating the mode in which a wife's interest in land was passed, may be mentioned a deed of the 8th of April, 1640, wherein the husband and wife after granting the land declared that they did "in the presence of the court acknowledge a fine and suffer a recovery to be passed and recorded in as and real manner and to all intents and purposes as is and hath been usual in the kingdom of Engiand." The entry in court in this case was in the following terms: "Miss Mary Utye this day personally appeared in court and acknowledged her free consent to a feoffment and grant of a certain parcel of tract of land from John Utye her husband to William Taylor and hath departed with all claim which she may make to the said land in right of dower or otherwise."

In the first volume of the statutes at large page 552 is the following extract from the minutes of the proceedings of the governor and council of Virginia "1639. The King's letter commanding assistance to Henry L'd Maltravers in seating Carolina, to whom it was granted." The manuscript belonging to Mr. Jefferson to which Mr. Hening refers, it may be inferred contained no more than this brief extract. The following is a copy of the King's letter and of the order taken by the court upon it [not entered].

No. 1. 1639 to 1642.

Dated Nov'r 14th, 1639.

[Page.] 47. Proclamation by the Governor and Captain General of Virginia previous to the call of the assembly to advise upon some way of raising the value of tobacco.

69. John Harvey Knight Governor and Captain General of Virginia, 16th of Feb'y 1637 and 15th of March, 1638.

Dated 20th of April, 1639.

70. The King's letter to the Governor concerning the Lord Maltravers province of Carolina lying between the degrees of 31 and 36 northern latitude.

90. Shewing that at a court held at James City the 8th of Oct'r, 1638, Anthony Panton, Clerk, was pronounced an exile and banished from the colony.

11th of April, 1640.

93. Order made upon the arrival of William Hawley Deputy for Lord Maltravers giving liberty to such as should be willing to accompany him to the province of Carolina.

18th of April, 1640.

116, 134, 144. The court granted to persons a commission to trade with the natives for corn and other goods.

10th of June, 1640.

169. Proceedings against Thomas Stegg for assisting Richard Kemp the secretary in his departure out of the colony.

2d of June, 1640.

173. Order for a man to marry a maid whom he had bought.

1st of Aug't, 1640.

352. Order made upon the petition of William Claiborne for the erection of an office for keeping the colony seal.

14th of July, 1640.

354. Order restoring Anthony Panton, Clerk, to the half tythes of his cure and condemning the conduct of Richard Kemp.

16th of Oct'r, 1640.

356. Proclamation after act for advancing the price of tobacco.

20th Feb'y, 1640.

453. Commander and Commissioners of Accomack power to determine causes there.

No. 2. 1660 to 1664.

28. April 30th, 1661. Sir Wm. Berkeley having occasion to go out of the colony, Francis Morrison Esq'r appointed to be

Governor and Captain General of Virginia upon the Governor's setting sail.

He continued till after the 9th of Oct'r, 1662.

15th May, 1661.

1517. 59. Henry Norwood his majesty's treasurer.

16th May, 1661.

49. A Catalogue of such books & records as belong to the secretaries office.

It states that "one of the above said books wherein the instructions from the king to S'r Francis Wyatt and S'r Wm. Berkeley and the commissions with the old act of assembly and some other records lent to the committee in October last and not returned."

50. Thomas Ludwell secretary. 16th May, 1661.

64. Sir Wm. Berkeley Governor previous to the 4th of August, 1660 and after 29th Sept'r, 1664.

81. The whole proceedings against the Quakers at a General Court held at James city 4th April, 1662.

121. Sir Wm. Berkeley returned before the 10th (and before the 8th) of Dec'r, 1662.

121. Proclamation.

126. Henry Norwood continued Treasurer till after the 20th of Sept'r, 1662. He was appointed the 22d of Sept'r in the 2d year of the reign of Charles the 2d.

129. Instructions from the king to Sir William Berkeley. Dated 12th of Sept'r, 1662.

136-140. Complaint of James Mills to the Governor making a serious charge against the Manhatons. 1662.

26th March, 1663.

161. Leave given Col. Francis Morrison Captain of the fort to be absent for three years.

16th of March, 1663.

162. Sir Wm. Berkeley styles himself Governor & Captain Gen'l of Va. & Carolina.

27th of July, 1662.

171. Deed from Allamahune the great king of Moncottecoe for a tract of land.

173. Address of the 24th of Sept'r, 1663, from the Assembly to S'r Wm. Berkeley, Gov'r.

174. Another.

199. Arrayement about quit rents.

16th Jan'y, 1663.

204. Grant to Captain John Brown to trade with America.

2d June, 1664.

228. Letter from the Governor of Maryland appointing a person to treat with the Governor of Virginia.

7th June, 1664.

230. Agreement between the Governor of Va. and the deputy from Maryland.

15th of Oct'r, 1662.

234. From the Court of New England to the secretaries of Va.

240-273. Robert Downman, New Netherland, Peter Stuyvesant, &c.

Something anterior. [C. R.]

464. 26th Sept'r, 1664. Order of court about turmoils and murthers.

No. 3. 1663 to 1668.

Tobacco 346. Maryland & Virginia, 1666.

Here are the articles agreed on between Virginia, Maryland and Carolina.

☞ There seem to be deeds recorded in this book.

Bonds, &c. 1677 to 1682.

1. Herbert Jeffreys was Governor and Capt. General of Va. the 24th of Jan'y, 167⅞ and in the 29th year of his Majesty's Reign.

3. His Majesty by his letters patent bearing date the 8th of July, 1675, in the 27th year of his reign constituted and appointed Thomas Lord Culpeper Lieutenant & Governor General of his majesty's colony and dominion of Va. in America to take effect after the death surrend'er or other evoydance of Sir Wil-

liam Berkeley the Governor there "who being now lately dead" (20th of July 1667) the said Lord Culpeper this day before his majesty's commissioners took the oaths of allegiance, supremacy, &c.

By the patent Lord Culpeper was to have a salary of one thousand pounds of lawful money of England during his natural life to be paid from time to time out of the monies raised in the colony for the support of the government.

Deeds.

This dated 25th Dec'r, 1677.

47. From the King to Herbert Jeffreys our Lieut. for the plantation of Va. explaining the terms upon which Lord Culpeper and Jeffreys were respectively to be put.

Dated the 4th of Oct'o, 1678.

78. Shewing the importation of negroes under contract with the Royal african Company.

114–140. Sir Wm. Berkeley's will dated 20th March, 1676–7 recorded 22d of Nov'r, 1678.

154. At Middle plantation the 30th of December, 1678.

Whereas Herbert Jeffreys Esq'r his majesty's Lieut. Gov'r of this colony is lately dec'd & S'r Henry Chicheley Kn't producing a commission from his sacred majesty for his being deputy Governor. This Council doth with all readiness own the said commission and declare the said S'r Hen. Chicheley deputy Governor of this colony and that he hath as full power to receive the said plantation as any Governor formerly had until his majesty's pleasure shall be known.

Deputy Governor.

Dated 28th of Feb'y, 167¾.

Comm'n "In the event absence or disabilites of our Governor thereof" as S'r Wm. Berkeley, &c.

155. Procl'n of H. C. dated at Middle plantation 30th of Dec'r, 1678.

202.–Commence papers relating to Bacon's Rebellion.

Jan'y, 1639.

144. By the 14th act, it was declared lawful and free for any person yearly to export or sell for exportation to New England or any other neighbouring plantations the seventh head of neat cattell either male or female, and the 15th act declared that when the sale of corn should be under the price of twelve shillings per barrel, it should be lawful and free, by commission from the governor to export corn either to New England or any other neighboring plantations and not otherwise. Under this act a commission issued the 28th of Feburary, 1639, authorizing John Stratton to export corn and cattle not exceeding the exportation allowed by the said act and requiring the captain of his majesty's fort at point comfort and all other his majesty's officers that they should not molest or hinder him in the premises as also that the said captain or any other whom it might concern should take care that the said Stratton should not export any tobacco or any other prohibited commodities, which commission was to continue in force for that voyage and no longer. Two other commissions were issued one the 19th of March, 1639, and the other the 17th of August, 1640, authorizing William Hunt to transport corn, pork or bacon to the neighbouring colony of New England, which commissions were in like terms as the other except that after the words "do not export any tobacco or any other prohibited commedity" there was inserted these words "without certificate from me the governor that he hath entered into bond to his majesty's use to unlade the same at the port of London and not elsewhere according to the order in that behalf at Whitehall the second day of July, 1634, by the right honourable the lords and others of his majesty's most honourable privy Council." In a commission of the 24th of April, 1640, to Edward Robins to export corn, pork and great cattle to New England, the words so inserted in Hunt's commissions were omitted. 148-9.

In the meantime the diminution of the quantity of tobacco was kept steadily in view.

In an order of the 20th of April, 1640, directing a patent to issue for 2000 acres of land within an Inlet to the southward of the capes for the transportation of 40 persons into the colony, a

proviso was made that the grantee should put in security to the court that neither he nor his assigns should plant any tobacco upon the land without further order from the board.

The assembly was holden at James city the 25th of January, 1640, and its first act was "that all money debts made originally in the colony from planter to planter since the proclamation dated the 14th day of November, 1639, forbidding all trade for tobacco till after the next assembly shall be payable in tobacco after the rate of 12d. p. lb. either for neat cattle, sheep, goats, corn or any other commodity or provisions raised within the the colony as also workman's wages, servants hired from man to man, lands and houses with all their appurtances." The act is so recited in an entry at a court holden at James city the 13th of April, 1641, which after such recital proceeds as follows:

"And whereas Sir Francis Wyatt.

No. 1 p. 494.

[Blank.]

In the mean time those measures were going on which the assembly of January, 1639, had directed, for the purpose of diminishing the quantity of tobacco. This appears by such certificates as the following:

"These are to certify whom it may concern that we have burned in our limits upon the account of Owen Floyd 24 hhds. of good and merchantable tobacco for which he desireth to have the like quantity spared.

April, 1640. Nathaniel Warren.

The mark of X Will. Nottingham."

The following order of the 11th of April, 1640, shews also the manner in which the court carried out what it deemed the scope and end of the act.

[Blank.]

At a court holden at James city the 4th of February, 1640:

"Whereas the masters of ships petitioned this board that there might a stay be made of the tobacco put on board the Fleming, the court taking into consideration that the colony was in great want of necessaries when the dutch ship arrives with a large

supply of useful commodities did therefore allow that the said ship should have permission to trade for old tobacco. And whereas since the arrival of the said ship, divers other ships have here arrived out of England but very late in the year, the masters whereof pretend themselves and owners much injured by such trade, notwithstanding themselves confess that they have not brought in commodities to supply the colony, neither would they acknowledge any invoice of goods to furnish the present necessities, so that if the said dutch ship had not been accordingly licensed as all others of New England, the colony had been drawn to a most intolerable exigent. It is therefore ordered that the said leave already granted unto the said Fleming shall hereby be allowed of and confirmed; it being already provided that the kings customs for all tobacco exported in the said ship shall be duly satisfied." (*Id.* p. 414.)

At a court holden at Elizabeth city the 6th of May, 1640:

Upon the petition of Captain Anthony Hobson and Abraham Sheers presenting to the board that they have great quantities of tobacco which they cannot through the want of shipping directly send for the port of London and that therefore they might have leave to transport the same by way of New England which the court upon considerations and provisos hereafter expressed did condiscend unto viz: that the owner of the Mary and Barbary where they do intend to export the same should enter into bond to his majesty's use to unlade all their freight of tobacco which they shall receive within the colony at the port of New England and that the said Captain Hobson and Abraham Sheers or any other that shall lade any tobacco aboard the said ship shall enter into bond as aforesaid to transport their several quantities of tobacco according to invoice which is to be brought in upon oath of the owners of the tobacco to the port of London and there to unlade the same, not elsewhere according to the order of their lordships of his majesty's most honourable privy council in that behalf. (*Id.* p. 148-9.)

[TO BE CONTINUED.]

HISTORICAL AND GENEALOGICAL NOTES AND QUERIES.

Letter of Patrick Henry to William Grayson.

(Communicated by Mr. Wm. Preston Harrison, Chicago, Ill.

Prince Edward, March 31st, 1789.

Dear Sir: The appointment of a superintendant of Indian affairs to the South now resting with the president and Senate I am now requested by Briga. Gene'l Joseph Martin to address this to yon and to testify whatever I think his past conduct may have merited. From the earliest Date of Hostilitys with the British this gentleman was called on as agent for this State, with the Cherokee Indians, to counteract the dangerous Designs then meditated and indeed in great measure matued by the agency Cannson and others. Scanty and uncertain Supplys of goods from us soon gave a prepnderancy to the British Interest which nothing but military operations could controul or counterbalance. The embarrassments of congress did not permit them to give to Southern Indian affairs the attention which the safety of this country demanded. The management of them therefore devolved on this Government. From the various situations in which I have been placed, I have had particular regard to this subject and from the first to the last of the War and indeed til the End of the late American Government Mr. Martin has conducted the affairs of this State w'ch the Cherokees and Chickasaws some of the little Intercourse which has taken p'ace between the United States & these two Tribes & also with the Creeks & Choctows. The ascendancy which he soon gained over the cherokees induced the State of No. Carolina to give him the agency for that state & from frequent Intercourse with Gent'n of the Executive there, I learned he gave entire satisfaction except to a party whose constant Endeavours have been used to encroach on the Indians and even to drive them away. To a similar description of men in Virg'a this gentleman's conduct has been exceptionable. To the Executive highly satisfactory, at least during my Time & I think during the whole of his agency. British Emissarys offered Rewards for his scalp to the Indians, partys of whom narrowly missed him from Time to Time; partisans of the new State in No. Carolinia afterwards found him obnoxious to their views & as I believe often endangered his Life For his Duty called him to discourage their Disorderly conduct & to thwart their favorite Schemes—I think their present declining condition not a little owing to his efforts exerted under my immediate orders. Their frequent Butcherys of Indians & Refinement in cruelty sufficiently characterize these people who are Mr Martins decided Foes—after bearing the

Heat & Burden of the Day a gentleman of the profession of physic superseded him & to the astonishm't of these people the man who had so many years encountered every Danger & Difficulty in supporting the American Interest & their own Rights was Displaced & the aforesaid gentleman succeeded him. I believe complaints will be made against Mr. Martin but they will come from the new govern't party, I mean Franklinites either in No. Carolina or Virg'a or from some person who wishes to succeed him, now that the Dangers he has braved are past—among his competitors is a Mr. Drumgold I am told whose character I know but very little about but I can say that none can pretend such Length of service and Danger in that Quarter as Mr. Martin, & I am fully persuaded his personal Influence is superior to that of any competition with the Cherokees. If I did not think this gentleman by far the most fit for the agency with these Indians, I should not have troubled you with this long letter and if you will be so good as to use your Influence to procure him the appointment it will be doing him a singular favour for he has I think no acquaintance in Congress. His wife & Family are my neighbours at Leatherwood & I can forward any Letter to him. His last appointment under Congress was for 6 months now expired.

Federal and anti seem now scarcely to exist; For our highest toned Feds say we must have the amendments. But the Enumeration stops at direct Taxtation Treatys Trade &c. &c., so that I perceive it will be a Question of prudence. How far the Temper of the Times will carry the condiscention of party or whether apprehensions will extort concession to any salutary purpose I from my secluded situation cannot guess—You perhaps can tell me how far the appearances tend that way. I hear nothing worth telling you. What Decius says of me, & others say for me the Gazettes have told you. I have not seen them except a few numbers (about 5)—In these he was not lucky enough to hit up on one charge that is warranted by Truth. How lucky it is that he knew me no better, for I know of many Deficiencys in my own conduct, that I can easily conceive myself an unprofitable Servant.—But alas! how difficult is it for human pride to submit to that appellation from others! It is not candid to characterize a system of Government from the men who will ever form the fag end of human society—from the political understrappers who ever follow the footsteps of power and whine and fawn or snarl a bark as they are bid; who ape their Betters & are content with their Leavings, as the wages of the dirty Work assigned them, such men are found in most Govern'ts & no doubt in the American. But whether their superiors will be of a more tolerant spirit is yet to learn. That dirty scribblers will be disowned by their own party I doubt not—But that they are encouraged also as little doubt. To be done with an Invidious subject let me ask you, do the Spaniards really countenance Emigrations to their country beyond the Missippi's or to the Natchiz. If to the latter,

pray what Right have they to the soil? The British Treaty gives us to 31 North—Georgia can only go due West from the Head of the Altamaha so that the U. S. have a great & valueable Territory stretching from the Head of St. Mary for its Southern Boundery to the Mississippi & up that River to the Intersection of the due West Line of Georgia, which must go from the Head of the Altamaha) the proclama. of 1743 notwithstanding.

[The copy in Mr. Harrison's possession, for the original is lost, is imperfect. Patrick Henry was at this time living at "Leatherwood," Henry Co. For a notice of the attacks on him in the Richmond *Independent Chronicle*, signed *Decius*, see Henry's *Life of Patrick Henry*, II, 435-439. General Joseph Martin, of Henry county, Va., was a distinguished pioneer. He opposed the establishment of the State of Franklin out of western North Carolina, and also the design of Arthur Campbell and other southwestern Virginians to seperate that section of Virginia from the mother Commonwealth. The amendments referred to were those proposed by the Virginia Convention of 1788. This letter it is believed is printed for the first time.]

Virginia Newspapers in the Library of the Maryland Historical Society.

We are indebted to the Edward Wilson James for the following list:

Richmond Enquirer May 13, 1806-May 8, 1812; May 11, 1813-May 7, 1814.

Virginia Gazette Oct. 8, 1772-Dec. 30, 1773; January 5, 1776-Dec. 19, 1778.

Norfolk Gazette and Publick Ledger, Vol. I, Sept. 11, 1804-July 15, 1805; Vol. II, July 17, 1805-Oct. 7, 1805.

Brooke Corrections.—In the July issue of "The Virginia Magazine of History and Biography" is an account of the Brooke family by Prof. Brooke of W. Va. I wish to correct two mistakes. The first is Mr. R. Baxter Tuggle married Martha Wilson Berkley, not Buckley of Farmville, Va.

The second is Florence Tuggle married Harry Beverley, not Harry Barkley.

Throckmorton Correction.

Referring to the will of Lewis Phillips 24 Aug., 1688. prov. 3 M'ch, 1669-70, published on p'g 82 of the July number of the Magazine and the statement on p'g 84, that:

"Alice sister of the testator married Robert Throckmorton Esq. of

Ellington, Huntingdonshire, and was mother of John Throckmorton who settled in Virginia, see Magazine XIII, 195."

This statement is an error.

Lewis Phillips was the husband of Judith Throckmorton born July 11, 1608, or 21 Dec., 1665, dau. of Gabriel Throckmorton of Ellington Hunts. & Alice dau. & heir of Wm. Bedell of Stockden, Beds. & Mary Cartwright. Judith was an aunt of John Throckmorton who was in Virginia when Lewis Phillips drew his will.

Lewis Phillips must have been connected in some other way with the Throckmorton family as he refers to Albin, Robt. & John as his cousins, he may have meant nephews, however.

C. WICKLIFFE THROCKMORTON.

THE OLDEST EPITAPH IN VIRGINIA.

The stone which bears the following epitaph, the oldest legible one remaining in Virginia, is now in the graveyard at "Four Mile Tree," the old Browne estate on James river in Surry county. It was formerly in the garden there:

"Here lyeth buried the body of
Alice Miles daughter of John
Miles of Brandon in Hertford
Gent. and late wife of Mr. Geo.
Jordan in Virginia who departed this
life the 7th of Jan., 1650.
Reader her dust is here inclosed
who was of art & grace composed
Her life was virtuous, glorious during breath
but highly glorious in her death."

INVENTORY OF AMBROSE FIELDING, 1674.

(Communicated by Dr. J. L. Miller, Thomas, W. Va.)

An Inventory of all & Singular the Goods & Chattells of Mr. Ambrose Fielding Gent: of Wickocomoco Hall Dec'd Appraysed & valued upon Oathe by Us the Subscribers by vertue of an order of Northumberland County Court dated ye 17th Day of March 1674. (Copy.)

Ye Servants.

1 Servt. man Wm Farecloth 3 years to serve,
1 Do Thos. Holmes 2 Do. 1 Servt. Boy Jno. Sonpin 7 yrs.
1 Do Maide Jane Farecloth 3 Do Do. 1 Do Maide Jane Cooper 2 Do.
1 Negro man Ned. 1 Do Symon. 1 Do Boy Chubb.
1 Do woman Jude. 1 Do girl Prosse. 1 Do Do Boye Ran.

Ye Stock.

1 Black Cow & Caff. 1 pyde cow & Calf. 2 red Cows 1 Bull.

1 White Do. 1 Red Do. 1 Pr. Oxn. 5 Yerling heyffers. 7 Do Steeres. 4 two yr. old steers. 1 old mare. 1 bay mare. 1 white horse. 1 black horse. 1 two yr. old fylly 2 yerlings. 38 Hoggs & Pigs.

Ye Hall Parlour.

1 Ovell Tabel. 1 Turkey Worke Carpet. 3 pictures. 7 Turkey worke Chears. 3 Rusha leather Do. 4 Family portraits unpraysed. 1 Tapstry Couch. 1 Court Cubbard. A pcell of old small Bookes. A pcell of old large bookes. 1 large Bibel. 1 ould Silke cheare. 1 Dutch Carved Chare. 1 pr. brass And Irons. 1 pr. old Silver Candle Stickes. 1 small tabel.

Ye parlour Chamber.

1 ould Leather Cheare. 1 ould silke Do. 1 Great Bedd & cord w'th Curtaines & Vallaines lined w'th Silke teasters & Damaske & Silke Counterpayne. 1 Feather bedd, bowlsters, pillows & two blanketts. 1 Carved Chest w'th locks & keys. 2 pr. Linnen Sheetes 3 Do Billowbers. 2 pr. Canvis Do, 2 Do Canvis Do. 1 pewter Bason, Ewer & Chamber pott. 1 Looking Glass. 1 brasse Candlestick. 1 Warming pann. 1 Ivory Comb. 2 Cloath brush.

The Great Roome

1 Long Dining Tabel. 1 small Tabel. 1 Serving Do. 14 Rush Chears. 1 Large ould bottle Case & bottles. 1 Ould chest. 1 small Do. 1 pr. hand Irons. 1 Large Damaske Tabel Cloath & 22 Napkins. 3 Ould canvis Do. 13 Do Do. 4 New towelles. 7 ould Do. 1 Cubbard. All ye Earth & Glass Ware. 31 lb. old pewter ware att 5d p.p. 10½ lb new Do att 12d p. p.

1 Silver Tankerd w'th ye Fielding Armes on it. 1 small Do markt "A. F." 1 Silver bowle. 1 Do Dram Cupp. 1 Do Sacke. 1 Do Tumblr m'kt w'th ye Armes. 11 Large Silver Spoons 2 small Do Do. 1 Silver Salt. 21 Alchimy Do. 17 quart bottles. 3 brasse Candel stks. 1 brass kittle. 1 Ould fowleing peace. 1 muskt. 2 Pistolls. 1 Rapere 1 hanger. 1 brass morter & pestil.

Ye Chamber over ye hall parlour.

1 Leather Trunk. 1 Chest. 1 ould Do w'th lock. 1 beddstid, cord, Curtaines Vallaines, blankett & Rugg. 1 Feather bedd, bowlsters & pillows. 1 small tabel. 2 rush chears. 1 ould Chamber pott.

1 Looking Glass. 2 horn combes. 1 ink horn. 1 pr. Canvis sheetes. 2 pr. pillowbers. pcell ould sheetes & pillowbers. 1 pr. Virga Shewes. 1 pr. Rusha leather Do. 1 pr. Gloves. 1 Broad cloath Gt. Coat. 1 Do short lind w'th silk. 1 ould cloath Suit. 2 pr. britches. 1 pr. silke Stockings. 2 pr. Cotton do. 1 periwigge old. 1 ould hatt w'th a hole in it. 3 shirts & a pcell of ribband. 1 pr. Silver buckis. 2 pr. Do buttons. 1 Do watch & seale. 1 Do Tobaky box. 1 plain gold ring. 1 Sealed Do. 2 mourning do.

Ye Chamber over ye parlour Chamber.

1 Bedd, cord feather bedd & Furniture. 1 Other Do Do Do. 1 ould trunk. 1 old chest. 1 tabel. 3 tools. 1 pcell old Cloathes & other trumpery.

Ye Oute kitchin & Servts. Roome.

1 pr. and Irons. 1 Large Iron pott. 1 small do. 2 other Do. 1 old Do. 3 pr. pott Racks. 2 Do lids. 1 flesh fork. 4 Spitts. 3 ould Tubbes. 2 new Do. 5 Cyder casks. 2 Cow belles. 1 Ox Chaine & rings a p'cell old Iron trumpery. a p'cell old Carp'trs & Cooper's tooles, a p'cell old bottles, 1 Great Kittle to containe 40 Gals. 1 small brass Do, I Drip pan, 3 ould tin panns, 4 frying panns—2 ould 2 new, 1 pr. Stillards, 1 brass skimmer, 1 ould tabel & form, 2 Sad Irons, 2 ould Spinning wheeles, a p'cell old ruggs and blankets.

The remainder of this inventory is missing, but probably contained only a list of farm products and farm implements kept in the out buildings. I have omitted from this copy the values attached to each article, but the total value of the appraisement as given is £222. 5. 5.

The inventories of the personal estates of the grandson and great-grandson of Ambrose Fielding—Ambrose F. died 1750, and Ambrose F. died 1764—mention a good many pieces of furniture that seem to be the same as is named in the inventory just given; also several pieces of the jewelry and plate.

Abstracts of English Wills.

(Communicated by Mr. Gerald Fothergill, 11 Brussells Road, New Wandsworth, London.)

In making a new index to the P. C. C. wills these American ones have come to light.

Abstract of Will of Thomas Grendon, of Dukes Place, Cittizen & Draper of London. Dated 15 Dec. 1678.

To Mr. John Harding Cittizen & Grocer of London & Mr. Robert Coe Cittizen & Goldsmith of London whome I make ex'ors & trustees my lands in Fultherley in Shenston, co. Stafford.

By deed dated 17 Nov., 1678, I have given unto Thomas Grendon my grandson all those lands & houses as in the deed appears, that is to say the sayd Thomas Grendon my grandchild now in Virginia for his life & after his decease to his heirs & for default of such heyrs then to Thomas Jennings my grandson, son of Thomas Jennings late of London, Distiller & for default of issue unto Rebeckah Symonds wife of John Symonds of London, Upholster & to Thomas Symonds son of my said grandchild Rebeckah.

To grandchild Thomas Jennings, £50. To Rebeckah Symonds, £50. To Hannah Duke my daughter in Virginia, £10 in full of her part. To my ex'ors, £10 each.

I give one third of the residue to my wife Elizabeth & the other two thirds between Thomas Grendon, Thomas Jennings & Rebeckah Symonds my grandchildren.

Wittnesses: Samuell Stringer, Nowell Bassano.

Sealed 4 April, 1679.

Proved in the P. C. C. 29 Oct., 1680, by oaths of John Harding & Robert Coe the ex'ors.

128, Bath.

[The testator was the grandfather of Thomas Grendon of Virginia, whose will was printed in Waters, 429-431. See also this Magazine I, 441-442.]

Will of Hugh Nevett, 27 July, 1673.

Abstract of will of Hugh Nevett.

To my kinsman John Nevett son of Richard Nevett all my lands & houses on the Blackwater, on the North River conteining 1100 acres bought of George Curtis but if he dies then unto my kinswomen the daughters of my brother Wm. Nevett.

To my three kinswomen the daughters of my brother Richard Nevett 40s. each. I doe order my ex'ors or overseers to take care & provide & maintain my kinswoman the daughter of my brother Arthur Nevett (whom I have sent for to come to mee in Virginia,) at my plantation, both in meat drinke & clothes after a decent manner until such time as she shall dispose or provide for herselfe in case she comes to Virginia.

I do give unto Major Thomas Walker & his wife each of them £5 a peece to be paid by bills of exchange or its value in tobacco. Kinsman Edward Cotton to be overseer of my plantation & to have £14 per ann. du ing overseership & likewise all my wearing apparell.

I do appoint Mr. George Seaton, Mr. John Throckmorton my ex'ors.

5 Oct, 1680. Affidavit of William Nevett who deposes that 4 or 5 years ago he received the above will & that John Nevett the heirs has received most of the property in Virginia; further that George Seaton & John Throckmorton the ex'ors are dead haveing heard so in letters.

Same day. Affidavit of Thomas Walsh who appeared personally. Deposes that he hath been employed in Virginia by the heir. This depoment was in Virginia about February 12 months ago & had discourse with John Throckmorton, Geo. Seaton being then dead. This deponent was in Virginia again about Jan'y last & then John Throckmorton was dead.

5 Oct, 1680. A commission issued to John Nevett the nephew by the brother & principal legatee in will of Hugh Nevett late of Virginia in parts beyond the Seas bachelor dec'd, for that the ex'ors are dead.

P. C. C. 132 Bath.

[Thomas Walker, John Throckmorton and George Seaton were all Gloucester county, Va., men.]

THE ARCHWAY, LARK STOKE MANOR HOUSE.

From a photograph.

See page 98.

GENEALOGY.

THE BRENT FAMILY.

Complied by W. B. CHILTON, Washington, D. C.

(CONTINUED.)

Ancar Brent of Little Wolford, will dated 17 May, 1598, will proved 26 July, 1598, mentioned as cousin by William Brent in his will dated 1591, and as kinsman by Nicholas Brent in his will dated 1582; executor to Ancar Brent was his brother Roger Brent who was also executor to his cousin, William Brent, 1591; the wife of Ancar Brent, as mentioned in his will was Elizabeth ———. They had issue: 1. Marie Brent, eldest daughter; 2. Elizabeth Brent, second daughter; 3. Susannah Brent (all mentioned in father's will); 4. Ancar Brent, in father's will; 5. daughter, ——— Brent, married Davis; 6. Elizabeth Brent, married at Quinton 7 Feb., 1608, William Leving; 7. Margaret Brent of London, will dated 13 May, 1609, buried at St. Andrews-in-the-Wardrobe, mentioned in father's will; 8. John Brent, second son in father's will; 9. Ezechias Brent, fourth son in father's will, married Ann ———; 10. Richard Brent, sixth son in father's will; 11. Sir Nathaniel Brent, L. L. D. Knt, fifth son in father's will; will dated 4 November, 1652, will proved 29 April, 1653, born about 1574, married *Martha Abbott*; 12. William Brent of Wolford Parva, county Warwick, in father's will, died unmarried. Administration 15 March, 1633, eldest son.

Issue of Sir Nathaniel and *Martha* (*Abbott*) Brent: 1. daughter *Margaret*, married Dr. Edward Corbett; 2. Ann Brent in father's will, under sixteen in 1652; 3. Nathaniel Brent, younger son in father's will, under sixteen in 1652; 4. Bazil Brent, eldest son in father's will, married about 1650 Elizabeth Bennett, will proved 4 September, 1695, mentions daughter Elizabeth Reynell and son-in-law Henry Reynell, wife Joyce, grandson Brent Reynell and the two sisters of the latter Elizabeth and Katherine Reynell.

WILL OF WILLIAM BRENT, LATE OF ADMINGTON, COUNTY GLOUCESTER, ESQR., DATED 1591.

I will that my body shall be buried in the Parish Church of Ilmyngton, county Warwick. I bequeath to the repair of the church of Ilmyngton aforesaid 20s. and to the church of Quainton, county Gloucester, 20s.; to the poor of Ilmyngton & Quainton, 8os. I give to my nephews George Croftes & Thos. Croftes, my late sister Croftes sons, 20*li* apiece. To my nephew John Brent, my brother Thomas Brent's son, 5*li*. To William Brente, William Brent (*sic*) and William Brente, my late

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wards the reparations of the church
my godchildren, 12d. To Thomas
obert, my old sheppard at Slawter,
est them, 2s. To
s age of twenty

brother Nicholas Brente's sons, 10*li* apiece. To Elizabeth Brent, daughter of my said brother Nicholas, 10*li*. To my nieces, Elizabeth, Joane & Agnes, daughters of my brother Thomas Brente, 40s. apiece. To my niece Margerye Hyett, 5*li*. To my nieces Cicelie Chettle* and Katherine Croftes, 40s. apiece. To my sister Helen, 5*li*. To Ursula Freeman, widow, 40s. in full satisfaction of all I have promised to her or to her late husband John Freeman.

To Humfrey Pynee, my wellwiller, 40s. To Mr. Henry Horneby of Quaynton, 4*li*; and to William Milles, my servant, 40s; to Fortune Brente als Porter, daughter of Mrs. Anne Porter, 20*li*; to my late servant, Thomas Lawrence, 40s.; to William Austen, my servant, 30*li*; to Humanitas Jackson, my servant, 20*li*; & to Hugh Elcocke, my servant, 3*li*; and to every other of my servants 6s. 8d. apiece. I bequeath to my very loving nephew,† Richard Brente, son & heir of my late son & heir apparent, Richard Brent, deceased, all the wainscot, furniture, etc. in my now dwelling house at Admington, to be delivered him at twenty-one, and to remain in my said house as standerts or Earlomes. And I will that there shall be provided a large iron chest with three locks & keys for the keeping of all the evidences concerning my manors of Admington & Larke Stooke, and all other writings in my possession at my death; the said chest to remain at Admyngton & be delivered to my heir & nephew, Richard Brent at twenty-one; one of the keys to be in the custody of Mr. John Higforde, of Henwood, or my daughter-in-law, Mrs. Mary Brent; the other in custody of my son-in-law, John Hawthen, and the third in the keeping of my cousin, Anker Brent, & neither shall open the said chest without the presence of the other.

And as concerning my manors, messuages, lands, etc., I leave to the aforesaid Richard Brent, son and heir of my said son Richard Brent, one-third of my manor of Admington als adilington, county Gloucester; also one-third of my manor of Larke Stooke, county Gloucester, and one-third of all my messuages, tenements, lands, etc., & other my hereditaments in Admington & Stooke aforesaid, being the full third part of all the manors, messuages, etc., of which I or any to my use are seised of any estate of inheritance or freehold in the Realm of England. I bequeath to my executors the other two-thirds of my manors of Admington & Stooke, &c., & my messuages, etc., with their appurtenances in Admington & Larke Stooke, for the term of eleven years towards the payment of my debts and legacies.

All the residue of my plate, ready money, etc., I bequeath to my beloved son-in-law, John Hawthen, and to my very loving cousins,

* Henry Chettle was the editor of a pamphlet written by Robert Greene the playwright and published after his death. In this was an attack on Shakespeare, for the publication of which although of course not directly responsible, Chettle afterwards in the "Kind Hearts Dream" promptly and amply apologized.

† This is a curious use of the word nephew in its original sense meaning a grandson.

Anker Brent, Roger Brent, and William Brent of Chippinge Campden, whom I do ordain my executors of this my last will, to the intent that my said executors shall with the said plate, ready money, etc., and two-thirds of my manors, messuages, etc., pay my debts, funeral, legacies & perform my last will; and I bequeath to each of my executors 10*li* apiece.

And I will and request my friends John Huggeforde of Henwood, county Warwick, & Thomas Andrews of Longdon, county Worcester, Esquires, to be overseers of this my will, to see it performed, and to take upon them a special care that all such annuities & yearly rents which I have before granted to the wife & children of my late son Richard Brent, and to my daughter, Elizabeth Hawthen and her children, be well & truly satisfied; and I do give to each of them a gold ring, of the value of 6*li* 13s. 4d. apiece.

Signed and sealed in the presence of Fardinands Patton, Christofer Whood & Anker Brent, William Brent.

A Codial to be added to the last will of William Brente, deceased. I give and bequeath to Walter Rose of Ilmington, county Warwick, one annuity of 20s.

Proved 10 November, 1597, by the oath of Alexander Serle, Notary Public, Procurator of Ancar Brent & Roger Brent, the executors named, to whom administration was granted, power being reserved of granting the same to John Hawthen & William Brent, Executors, when they should come and apply, etc.

(P. C. C. Admon. Act Book 1572-1580 fo. 18.)

JOHN BRENT.

24 Nov., 1572, commission issued to William Brent, brother of John Brent late of Camdene, county Gloucester, deceased (dying in the diocese of Worcester), to administer the goods, &c., of the said deceased, in the person of Philip Morgan, notary public, his proctor in that behalf.

(P. C. C. Rowe 8.)

THE WILL OF NICHOLAS BRENT of Stow upon the olde [Wold], in the diocese of Gloucester, dated 22 Oct., 1582. Proved 11 Feb., 1582-3.

I give to the poor people of Stowe, 10s. To the reparations of the Cathedral Church of Gloucester, 12d. Towards the mending of the common well of Stowe, 3s. 4d. Towards the reparations of the church of Stowe, 12d. To every one of my godchildren, 12d. To Thomas Daniell, my old servant, 6s. To Robert, my old sheppard at Slawter, 5s. To the children of Thomas Blowen equally amongst them, 2s. To William Brente, my eldest son, if he live to accomplish his age of twenty

years, 30*li.* To William Brent, my second son, 30*li*; and to *William Brent my third son, 40*li* at their like ages. To Elizabeth, my daughter, 40*li* at her age of 20.

The said sums of money shall remain meanwhile in the occupation of my wife Elizabeth who shall give bonds to my overseers. The residue of all my goods I give to my said wife whom I make my executrix; and I request my brother Mr. William Brent and my kinsman Ancar Brente & William Crafts to be overseers of my will.

Ancar Brent, William Craftes, Witnesses.

Proved 11 Feb., 1682-3, by Robert Say, notary public, proctor for the executrix named.

(P. C. C. Admon. Act Book 1587-1591, fo. 37.)

RICHARD BRENT.

27 Oct., 1587, commission issued to Mary Brent relict of Richard Brent, late of Pershall End in the parish of Berkeswell, county Warwick, gent, deceased, to administer the goods, &c., of the said deceased, in the person of Peter Johnson, notary public, her proctor in that behalf.

(P. C. C. Lewyn 66).

THE WILL OF ANKER BRENTE the elder of Little Wolford, county Warwick, dated 17 May, 1598.

I give to the reparation of the church of Great Wolford, 6s. 8d. To the poor of Little Wolford, 6s. 8d. To John Brent, my second son, 150*li.* To Anker Brent my third son, 150*li.* To Ezachias, my 4th son, 150*li*; and my said sons, and Anne, wife of the said Ezachias, shall have their meat with my ex'or till the said sums be paid. To Nathaniel Brent, my fifth son, 150*li.* To Marie Brent, my eldest daughter, 200*li.* To Elizabeth Brent, my second daughter, 200*li.* To my daughters Susanna and Margaret Brent, 200*li* apiece. To Richard Brent, my sixth son, 150*li.* If my wife Elizabeth Brent will give up her right in the farm of the demesne lands of Little Wolford, I bequeath her 200*li*, and she shall have a chamber at her choice in my farm of Little Wolford. All the residue of my goods I give to my eldest son William Brent, whom I make my ex'or. Overseers, my brother Mr. Roger Brente, and Mr. Edward Ockley, and in case of any dispute I desire them to advise with Mr. Rafe Sheldone, Esquire.

By me Anker Brente, the testator (not witnessed).

Proved 26 July, 1598, by Alexander Serle, proctor for the ex'or named.

NOTE.—Anker (or Ancar) Brent was the son of Richard Brent who

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* The occurrence of three sons of the same name is curious.

THE KITCHEN, LARK STOKE MANOR HOUSE.

From a photograph.

See page 98.

was the son of John Brent of Cossington, who died in 1524. As shown by the preceding wills of William Brent and Nicholas Brent, he was their cousin. Anker Brent was the father of Sir Nathaniel Brent, Warden of Merton College, Oxford.

WILL OF MARGARET BRENT, OF LONDON, SPINSTER, DATED 13 MAY, 1609.

I desire to be buried in the parish church of St. Andrew in the Wardrobe, London. I give to my godson, Henry Adam, 35*li.* To my brother, *William Brent*, 40s. To my cousin, William Adams, 10*li.* To my cousin, Henry Pratt, 20s. To *Richard Brent*, the younger, 10*li.* To my sister Leven's daughter, 10*li.* To my sister Davis' two daughters 10*li* apiece. To Mr. Morreys and Mr. Conquest, 5s. apiece. To Bridget Tiso & John Gise, 10*li* apiece. To the children of my brother, *John Brent*, Esq., 15*li* between them. To the children of my brother, *Ezechias Brent*, 10*li* between them. To Mrs. Elizabeth Woodford & Anne Cherrington, 20s. apiece for a ring. To Mrs. Hall, 20s. for a ring, and my black mourning gown amongst my other things at court. To *my mother*, 40s. & my needlework cushion. To my brother, *Nathaniel Brent* 20s. for a ring. To Mr. John Rhodes, minister of St. Brides for his pains, 20s. To Robert Pale, one of My Lady Fenton's chamber, 10s. To the poor of St. Andrews aforesaid, 20s. Residuary Legatees & Executors: My brother, *Richard Brent*, of London, Clothworker, & Suzanna Adams, London. Widow.

(Signed) *Margaret Brente.*

Witnesses: John Rhodes, Minister, & Curate of S. Brides, London, William Stafford, Mary Cooper her mark, Ellen Hanle, her mark.

Proved 22 May, by the executors named.

NOTE.—Margaret Brent, the testator of the foregoing will, was the daughter of Anker Brent.

(P. C. C. Admon, Act Book 1611-1614, fo. 132).

FERDINAND BRENT.

8 Jan., 1613-4. commission issued to Elizabeth Brent, relict of Ferdinand Brent, late of Whichford, county Warwick, deceased, to administer the goods, &c., of the said deceased.

WILL OF MARY BRENT, OF HUBBERHILL, CO. GLOUCESTER, WIDOW, DATED 9 AUGUST, 1630.

I give to the poor of Illmington and Queynton, 40*s.* to each parish.

To my son *Richard Brent* Esq. 80*li.* and 40*li* more which my son-in-law, Mr. John Fowke owes me, and my great silver salt, etc.

To the daughters of my daughter, Margaret Fowke, living at the

death of the surviver of my said daughter and my daughter Colborne, excepting only Mary Fowke, the now eldest daughter of my daughter Margaret, 100*li* to be then distributed, the interest thereof, *i.e.*8*li* per annum, in the meantime to be paid 5*li* to my daughter Margaret Fowke, & 3*li* to my daughter Colborne, & so to be paid until the death of one of them, the residue then to be employed for the use of the daughters of my daughter Margaret, except her daughter Mary. And if the said daughters die before the said 100*li* is due, it shall remain to John Fowke & Roger Fowke, two of the sons of my daughter Fowke, to be equally divided.

I give to my daughter Colborne, 10*li*. my little silver candle, etc. To my daughter, Fowke, 10*li*, my silver tankard. etc. To my daughter, Chadwell, 10*li*, and my gilt casting bottle, etc. and I bequeath to my executors 25*li*, in trust, to pay her the interest thereof for life; 12*li* thereof to be paid after her death to the sons of my daughter Chadwell, & the other 13*li* I give to my executors.

I give to my daughter Catesby, a silver cup, etc. . To my godson, *Foulke Brent* my greatest silver bowl. To my goddaughter, *Mary Brent*, my silver sugar box, etc. To my grandchild, *Katherine Brent*, my silver grater, etc. To my grandchild, *Margaret Brent*, my little silver gilt bowl, & the cabinet my sister Reed gave me.

Other bequests of silver, etc., follows to my grandchildren *Elizabeth Brent*, *Ellinor Brent*, *Anne Brent*, *Jane Brent*, *Richard Brent* of Stooke & his wife, *Gyles Brent*, *William Brent*, *Edward Brent*, *George Brent*: to my nephew Richard Catesbie and his wife and to their daughter; to Mary Elizabeth & Anne Chadwell, daughter of my daughter Chadwell, to my son Catesbie, my son Chadwell, & my son Fowke; to my goddaughters, Marie, Margaret & Katherine Fowke: to my grandchildren John & Roger Fowke; to every of my son Chadwell's four sons; to my grandchild William Hooper, to my friend Mr. Hornebie, Vicar of Queynton.

Residuary Legatees & Executors: my son, *Richard Brent* and *Foulke Brent*, his son and heir apparent.

Overseer: my friend, Mr. Richard Reed, my son Richard's brother-in-law, to whom I give one of my little silver plates for his pains.

(Signed) *Mary Brent.*

Witnesses, Richard Reed, *Margaret Brent*, *Edward Brent.*

Proved. 5 December, 1632, by *Richard Brent*, son of the deceased, one of the executors named, power being reserves of granting administration also to the other executor, Foulke *Brent* when he should come and apply for the same.

NOTE.—Mary (Huggeford) Brent the maker of this will was the widow of Richard Brent, and the mother of Richard Brent, Sheriff of Gloucestershire, 1615. She was the grandmother of Giles, Foulke,

Margaret and Mary Brent, who emigrated to America, all of whom are mentioned. The George Brent mentioned, another grandson, was the father of George Brent of Woodstock, Stafford county, Virginia.

THE MALLORY FAMILY.

(CONTINUED.)

ROGER[13] MALLORY, son of Dr. Thomas[12] Mallory rector of Northenden, Cheshire, and of Eccleston, Lancaster, England, obtained a grant of land in Virginia in 1660. His uncle, the Rev. Philip Mallory, also willed to him all his plantations in Virginia. He settled in that part of New Kent county, Va., which later became King and Queen county and still later King William county.

He was a Justice of New Kent county in 1680, and as late as 1690 (Va. Magazine Jan., 1894, and April, 1899), and of King and Queen county in 1693 (see below) and had the title of Captain. On the 30th of April, 1688, he received by patent a grant of "2514 acres of land sittuate and being ye P'ish of St. John in ye county of New Kent on ye south side of Mattapony River * * * w'ch land was formerly granted to ye said Captain Rodger Mallory by pattent and in the late troubles casually lost and is due by and for ye transportation of fifty-one persons," &c.

On the 26th of April, 1698, Roger Mallory referred to as "gent," received by patent a grant of 300 acres "lying in King and Queen county aforesaid (but lately part of New Kent county)."

In 1704-5 Roger Mallory was a Justice of King William county. (Va. Magazine April, 1901).

NOTE.—Captain Roger Mallory was probably the son of Jane the first wife of Dr. Thomas Mallory, and if so was born between 1632 and 1638.

Dr. Mallory apparently did not leave Oxford till 1632, and his wife Jane died in 1638. Roger was therefore about 70 years of age in 1705, or less.

WILLIAM[14] MALLORY, son of Captain Roger Mallory, appears to have settled in Elizabeth City county, Va., as early as 1680. He married Ann Wythe, daughter of Thomas Wythe, gent., a justice of that county.

From the book of "Deeds and Wills, 1689-1699 Eliz. City county," page 115, it appears that Diana Moore, wife of John Moore of Gloster county, on the 27th of Nov., 1690, relinguishes quit claims, etc., her right, title, etc., to a certain tract of land in Elizabeth City county, to William Mallory which it appears her husband and Susannah Moore had "on the 16th of August, 1680, sold to the said William Mallory of Elizabeth City county."

On the same page appears the following: "Know all men by these presents that I Ann Malory, wife of Will'm Malory of ye said county of

Eliza. City, doe hereby apoint and constitute my Father in law Captain Roger Malory, of King & Queen county, my true and lawful attorney for me & in my name & stead to acknowledge in ye Court of King & Queen county, all my right of dower or third yt. I have or ought to have of in and to two parcels of land lying in Pomonky Neck in aforesaid county unto Richard Gizage, contayning——acres of land, as by two deeds of sale may appear, sould by my said husband unto ye s'd Richard Gizage & what my said Atorney shall lawfully act and doe in ye Premises afores'd doe hereby Ratifie and Confirme in as ample manner to all Intents and purposes as if I were personally present.

Witness my hand and seale ye 2d. s'd day of May, 1693.

Ann Malory, Seale.

Witness:

Thomas Wythe, Sen'r.
Charles Jenings.

Elizabeth Citty County.

At a meeting of their Ma'ties Justices at ye house of Mr. William Mallory's May ye 3d 1693.

PRESENT:

Mr. Edmund Swansy,
Mr. Tho. Wythe Jun'r,
Captain William Armistead } Justices.
Mr. Aug. Moore.

The above letter of Atorney was then Prouved by the Oaths of Thomas Wythe and Charles Jenings."

On the same page follows a similar power of Attorney in the case of another tract of land in King and Queen county, sold to one "John fford," Mallory being spelled in this case invariably with two "l's." Executed and proved the same day.

In the same book on page 223, appears the following:

"Know all men by these pres'nts yt. I Wllm. Mallory, Doe Give unto my Sonn Francis Mallory one negro Lad nam'd Will and one Gray Mare & their Increse to him & his heirs for ever. It Being in consideration of forty Pounds Sterling. It Being Given vnto my said sonn By his Grand Mother Ann With.

As Witness my hand this 18th of Xbr., 1696.

W'll'm Malory.

Acknowledged in Cort of Eliz., Citty County this 18th of Xbr., 1696.

Teste Chas. Jenings, Clerk.

Witness:

Wm'll (?)
Simon Holliday."

On the 20th of April, 1687, William Mallory received by patent a grant of 3740 acres of land, "lying in New Kent County in Pomunky

Mallory & to his Heirs & that is my Desire that my said wife may not be hindered from Claiming her Dower on account of this Chaise."

Gives to Henry King one Mourning Ring, Twenty shillings value.

All the remaining part of estate not already disposed of to be equally divided between his two sons Francis and Edward.

Appoints Henry King a Trustee for his son Francis "and that in Case my said son should neglect or waiste his Estate then he the said Henry King shall take the said Estate into his hands untill such time as my said son Francis come of age."

Lastly appoints his wife Diana Mallory and his two sons Francis and Edward Mallory Executrix and Executors.

Witnesses: George Johnson, John Bayley and Francis Parker.

FRANCIS[17] Mallory, eldest son of Johnson[16] Mallory and Diana his wife was married three times; twice before he was twenty one and once just after.

His last wife was Mary King sister of Miles King, Sr. of Hampton afterwards of Norfolk.

He was appointed Lieut-Colonel of Elizabeth City county Militia in June 1776 (Council Journal) and it would appear that he was later promoted to be Colonel.

After participating in various engagements with the British he was killed March 8th, 1781, while commanding a small force of Militia in an action with a largely superior force of British regular troops commanded by Lieut. Col. Dundas, near Newport News. (See account of this affair, with additional personal details in The Virginia Historical Register, Vol. IV, 1851, page 24 *et seq.* For the British account see letter of Brigadier General Benedict Arnold to Sir Henry Clinton dated Portsmouth, March 8th, 1781, in "Clinton-Cornwallis Controversy growing out of the Campaign in Virginia 1781," Vol I, pp. 339 340.)

The negroes belonging to the estate of Colonel Francis Mallory, deceased, were in obedience to an order of the court of Elizabeth City county, appraised December 31st, 1788, the valuation being £1444, 10s. and were divided among his widow, Mrs. Mary Mallory, his daughters Diana (Mrs. Geo. Wray,) Elizabeth Mallory, Mary Mallory and his son Charles Mallory, then an infant. (Vol. 34, Deeds Elizabeth City County, 1787-1800).

The will of Mrs. Mary Mallory of Elizabeth City County, widow of Colonel Francis Mallory, dated 20th of January, 1789, was proved in said county April 24, 1789.

To son Charles King Mallory the Marsh adjoining the land whereon she then lived.

Her negro boy James to Mr. Meritt Moore.

The remainder of her negroes to be equally divided among her three children, Elizabeth King Mallory, Mary King Mallory and Charles

I have not here to fore given; also all my Stock House hold Goods and Cash by me and all other Goods or Estate which to me belongs or in any wise appertains, to him the said Johnson Mallory and his Heirs forever. Item whereas I have and there belongs to me the Reversion of certain Tract of Land lying in King William County now belonging to the Indians and other Persons which are now in the possession of the said Indians and those other Persons. It is therefore my will and desire that the said Reversion and all the Rights, Title or Claim that I or my Heirs have or should have if this Will had never been made do go and decend to my said son Johnson and I do hereby give and bequeath the same to him and his Heirs forever."

Appoints his son Johnson his "whole and sole Executor"

Witnesses: John Tabb, Margaret Tabb, Wm. Bean.

JOHNSON[16] Mallory only child of Francis[15] Mallory married Diana——. It is probable that the maiden name of his wife was Diana King.

Abstract of the will of Johnson Mallory of the County and Parish of Elizabeth City. Will dated 9 May, 1760. Proved 5 May, 1762.

To Daughter Margaret Mallory Four Hundred Pounds Current Money of Virginia; Six large Silver Spoons and Six tea spoons and the following slaves: Fortune, Phillis, York and Phoebe and all their future increase.

To Daughter Mary Mallory Four Hundred Pound Current Money of Virginia; six large Silver Spoons and six Tea spoons and the following slaves Esther, Lucy, Betty, Jupiter and George and all their future increase.

To Daughter Ann King Ten Heifers of three years old. Ten Ewe Lambs and One young sorrel Mare.

To son Francis Mallory the Plantation I now live on; all my Land and Plantation at Back River; all that my Tract and Plantation of Land Lying and Being in the County of Warwick, Containing Two Hundred Acres.

To son Edward Mallory all my Land and Plantation at Harris Creek in this County, being Lands formerly Purchased from John Massenberg, John Armistead and Gill Armstead, all my Lands and Plantations in York County and Charles Parish, and the following slaves: Jacob Boatswain, Dick and Annaka

To son Francis Mallory my Silver Sett of Buckles, my Troopers and other Militia Arms.

"I hereby Order and Appoint that out of my Estate two young working slaves be Purchased for the use my son Edward Mallory when he comes of age."

"I give and bequeath the use of my Chaise Harness and Horses unto my wife during her Natural Life and at her Decease to my son Francis

Neck w'ch land was formerly surveyed by Capt. Wm. Claybourne dec'd for Captain Roger Malory."

On the 2d of May, 1706, he received a patent for 274 acres in Elizabeth City county

The will of William Mallory is recorded in the book of Deeds, Wills, Inventories and Orders 1715 to 1721, Elizabeth City County.

William Mallory of Elizabeth City County in Virginia Will dated 17 August, 1719. Proved 15th February, 1720.

To my loving son Francis Mallory the Plantation whereon I now dwell.

To my son William Mallory all the residue of my Lands to enjoy the same at the age of sixteen.

In case of the death of either son without heirs his part to fall to the survivor and his heirs.

All my personal estate (except my Copper Kettle) to be equally divided between my son William & my Daughters Mary and Ann. Above mentioned Kettle to son William.

Unto son Francis negro man named Will. Also a small brass Kettle. Son Francis to have liberty to get timber over my whole land for his Plantation use.

Executors, sons Francis and William. Mr. Thos. Wythe appointed overseer to see this will proved and performed. Witnesses Jno. B. Bean, Ann Bean.

FRANCIS[15] Mallory, son of William[14] Mallory and his wife Ann (Wythe) Mallory, married Ann, Myhill, as appears from "An Acco't of Marriage Licenses 1719-1720," Elizabeth City county Records. It also appears from the county records that (about the year 1721) Francis Mallory came into court with Ann his wife "formerly wife of Edward Myhill" on business connected with Edward's will.

It seems probable that Francis M. married a second time and that the family name of the second wife was Johnson, his only child being named Johnson.

From a deed recorded in 1738, it appears that Francis Mallory was Church Warden for Elizabeth City Parish in that year.

The following is an abstract of his will which is recorded in Elizabeth City county.

Will dated 7 January, 1742. Proved 18 July, 1744. Francis Mallory of the county and Parish of Elizabeth City.

To granddaughter Ann Mallory five negroes named Lucy, Whittey, Nanny Juny and Aggy. To cousin Elizabeth Read fifteen Pounds Current money of Virginia. To my good friend Capt. John Tabb a Gold Ring of twenty shillings value. "I give and bequeath unto my son Johnson Mallory and his heirs forever all my Land both in this abovesaid county and in Warwick county together with all my slaves which

King Mallory; "to be kept together until either of them shall come to age or marry and then equally divided, and if either of my said children should die under age I then give the negroes to the survivor or survivors not including my daughter Wray."

Her clothes to be divided equally between her daughters Elizabeth and Mary.

Her large red trunk, one bed and furniture to her daughter, Diana Wray.

Her watch to her son Charles. Appoints her brother Miles King executor.

Witness: Martha King, Han'h Westwood.

(TO BE CONTINUED.)

THE BROOKE FAMILY OF VIRGINIA.

(By Prof. St. George Tucker Brooke, Morgantown, W. Va.)

(CONTINUED.)

Will of William Fauntleroy, 1757.

In the name of God, Amen. I, William Fauntleroy of the county of Richmond & parish of Luninburg being in Perfect sence and Memorie do make this my last will in manner Following, my soul I chearfully Resigne to God that gave it, in hopes of Pardon & acceptance thro the satisfaction and Merits of my Redeemer, My Body to the Earth to be Inter'd at the discretion of my Exors & the worldly Estate God has blessed me with I give, devise and bequeath as Follows: Imprimis the land I bought of Emanvell Cleaves, Matthew Thornton, Hopkins Thornton & Colo. John Tayloe which are contigues Lieing Between Rappahannock Creek & the doctors creek I Give & bequeath to my son William Fauntleroy & his heirs forever. I also give to my son William Fauntleroy the Lands I bought of Capt. John Spicer, Capt. Daniell McCarty, Matthew Davis & the Court house land which I bought of the County which are Contigious & makes the tract I now live on liing Chefly within my out pasture fence to my aforesaid son William Fauntleroy & to the heirs of his Body Lawfully Begotten forever & to continue in the name & Family of the Fauntleroys forever, not to be disposde off. Item I give and bequeath the Lands I bought of Mr. Edward Barron, James Hearne & Jane McClinch to my son Moore Fauntleroy & his heirs forever. I alsoe give my said son Moore Fauntleroy all my said Land Cold Quintanoake that was given to me by my Grandfather Griffin to him and his heirs Forever with that Prouser (sic) my son Moore Fauntleroy gives his son George Hale Fauntleroy all the Lands that was his Mothers, Otherwise I give the said Quintanoake Lands to

my Grandson George Hale Fauntleroy & his heirs forever. Item. I give & Bequeath the Lands I Bought of Mr. Thomas Wright Belfield, Mr. James Skelton, Mrs. Mary Belfield & Daniell Daley all Lieing in Essex County to my son John Fauntleroy together with all ye negroes I formerly gave him to him & his Heirs forever. Item. I give & Bequeath to my three sons William, Moore and John Fauntleroy all my Lands in Carroline County allsoe I give to my said three sons six negroes Viz; Cannady, Betty Rachell Rose & Samphrim and Joe to Remain in my three sons hands for the support of my daughter Sarah Gray & hur children Item I give & bequeath to my son William Fauntleroy the negroes I formerly gave to him together with four negroes Viz. Tim, Duncin Moll & Falls to him and his heirs forever. Item I give and bequaeth to my son Moore Fauntleroy all the negroes I formerly gave him to him & his heirs forever. Item I give & Bequeath to all my Grand Children one young negrow apiece to be chose out of my young negroes by my Executors hereafter mentioned Excepting those off my Grand Children that I have allready given young negroes to and the Negroes that I now give to be about the age of my Grand Children. Item I give and bequeath to my Daughter Hanah Robinson the negro wench I formerly gave her & all her Increase an Fifty Pounds Cash to her and her heirs forever.

Item I give & Bequeath to my Daughter Apphia Dangerfield Fifty Pounds Cash. Item I give & Bequeath to my Daughter Catherine Lewis Fifty Pounds Cash & the negro wench I formerly gave her & hur Increase to hur & hur heirs forever. Item I give & bequeath to my Daughter Mary Brooke* Fifty Pounds Cash & the negrow wench I formerly gave hur & hur Increase to hur and hur heirs forever. Item I give & bequeath to my Daughter Ann Pettitt the negro wench winney I formerly gave hur & hur Increase to hur & hur heirs forever and one morning Ring. Item I give & bequeath to my Grandson Henry Robinson son to my daughter Hannah Robinson Two hundred pounds Cash to be laid out by my Exors within three years after my death in young Negrow girls about ten years of age each and one Eight Part of my negroes that I have not as yet given to be delivered him by my Executors hereafter named. Item I give & bequeath to my three sons William, Moore & John Fauntleroy Each of them one Eight part of my Negroes to them & their heirs forever & Each of them one seventh part of my Personal Estate to them & and their heirs forever. Item I give and bequeath to my four grand children Mary, Martha, Lucy & Leroy Daingerfield Children to my Daughter Apphia Daingerfield one Eight part of my Negroes not yet disposd of to be Equally Divided amongst them To them & their heirs forever & allso I give one seventh part of my personall Es-

*She was wife of Robert Brooke III and mother of Robert Brooke IV

tate & that seventh part to be sold for Ready money & the money laid out in young female negroes to be divided amongst them by my Exors hereafter named. Item I give & bequeath to my three sons William, Moore & John Fauntleroy one Eight part of my negroes & one seventh part of my personall Estate to Remain in my three sons hands for the suport of my Daughter Sarah Gray & her Children and at her decease to be Equally divided amongst hur Children. Item I give & bequeath to my Daughter Katherine Lewis one Eight Part of my negroes not disposd off & one seventh part of my other Personal Estate to hur & hur heirs forever. Item I give and bequeath to my *Grandson Robert Brooke** son of my Daughter Mary Brooke one Eight part of my Negroes not disposd off to him and his heirs forever & the seventh part of my other personal Estate & that seventh part to be sold for ready money and all the money so Raised laid out in young negroes Girls for his use by my Exors hereafter named with three years after my death.† Lastly I doe hereby constitute and appoint my Kinsman the Honourable John Tayloe Esqr and my three sons William, Moore & John Fauntleroy, Executors of this my last will and Testament Revokein & disannulling all Every other heretofore made By me under the Testimoney of my hand & seale this 26th day of October 1757.

WILLIAM FAUNTLEROY (Seal.)

Test

Thos. Newman, Sam Rock, John his X mark Horton.
mark.

At a Court held for Richmond County the 5th day of December 1757 This will was presented into Court by William, Moore & and John Fauntleroy three of the Exors therein mentioned who made oath thereto according to Law & being prov'd by the Oaths of the Witnesses thereto subscribed was admitted to Record, and on the motion of the s'd Exors a Certificate is Granted them for obtaining a probate thereof in due form

Test

T. TARPLEY, D. C.

Copy Test. J. B. Rains, Clk.

(TO BE CONTINUED.)

*He was Robert Brooke IV, son of Robert Brooke III. See their wills.

†The Order Book of Essex County shows that Robert Brooke III purchased slaves with his money for his son Robert Brooke IV. The spelling, capitalizing and punctuation of this will have been preserved.

BOOK REVIEWS.

THE LIFE OF GENERAL HUGH MERCER, with brief sketches of Gen. George Washington, John Paul Jones and others. By Judge John T. Goolrick. Illustrated. N. Y. and Washington. The Neale Publishing Co., 1906.

This is a valuable contribution to the Revolutionary period. Hugh Mercer, though one of the first generals to lay down his life for the patriotic cause, and though he lived hardly long enough to make the great name for himself that he, no doubt, would have done, was a superior general, as evidenced by the trust reposed in him by the Commander-in-Chief. Up to the appearance of this volume little was known of him except that he was killed on Princeton field, and with most people, dying as he did so early in the struggle, he is seldom thought of in connection with the great struggle for independence.

Briefly his life may be summed up as follows: A graduate of medicine from Marschall College; a soldier on the ill-fated field of Culloden; an exile from his native land on account of his loyalty to its native princes (the Stuarts); a country doctor on the Pennsylvania frontier, serving and ministering to the wants of the suffering; a soldier in the French and Indian war, narrowly escaping with his life when wounded and pursued by the savage foe, and barely reaching civilization alive; practicing his profession in his adopted home, Fredericksburg, Va.; the intimate friend of Washington, and one of his trusted generals, and a martyr to the cause of American freedom. As a Scotsman he was loyal to his rightful king, as an American citizen loyal to the cause of liberty; as a soldier, alert and brave, even to the point of daring; as a doctor gentle and patient; as a friend faithful and true; as a husband and father, tender, affectionate and considerate; as a mason, consistant to the cardinal doctrines of the craft; as a churchman, devout and sincere; in a word, he was a man.

The book also contains short sketches of his friends, Washington, Monroe, John Paul Jones, Gen. George Weedon, and Mary, the mother of Washington, together with a brief account of the Fredericksburg lodge. At the end is also a short genealogy of the Mercer family, the first that has been published, and as such will be of interest. Like all first genealogies, a number of minor mistakes are noted, but they are of no consequence and will be corrected in the next edition. The most essential thing lacking from a genealogical standpoint is an index.

However, as this was not intended as a genealogy, that part of the volume being an afterthought of the author (it was compiled by a member of the family and inserted at their request), this fault can be overlooked. However, the tables are not lengthy and it takes but a short time to run through them. The Mercers intermarried with the Gordons, Pattons, Chews, Forbes, Crutchfields, Cookes, Herndons, Wallers and other Virginia families.

This book is attractively bound, clear print, good paper, with many handsome illustrations, and should be owned by every member of the Mercer family.

JOHN W. HERNDON.

ROOTES OF ROSEWALL. An account of Major Philip Rootes, of "Rosewall," King and Queen county, Virginia, and of some of his descendants. By William Clayton Torrence.

Phillip Rootes was a wealthy planter and merchant who died in 1756. This is a carefully prepared, handsomely printed and well illustrated account of most of his descendants, including the family names of Washington, Smith, Thompson, Grymes, Thornton, Wedderburn, Dixon, Drake, Eason, Gray, Clayton, Torrence, Jackson, Cobb and many others.

The illustrations include the family arms from old seals and book plates, portraits, &c The author is bibliographer of the Virginia State Library.

THE FOUNDERS OF ANNE ARUNDEL AND HOWARD COUNTIES, MD., &c. By J. A. Warfield, M. D., Baltimore, 1905, pp. 543, lvi (index). Illustrated.

While this book is chiefly of interest to Marylanders it contains much very interesting information in regard to the great Puritan emigration from Virginia to Maryland, 1645-55. The details given in regard to the removal of so many individuals and families, chiefly of Puritan tendencies, from Virginia to the younger colony, is a decided addition to our early history.

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CATALOGUE OF THE MANUSCRIPTS in the Collection of the Virginia Historical Society and also of Some Printed Papers. Compiled by order of the Executive Committee. Supplement to the *Virginia Magazine of History and Biography*. Richmond: Wm. Ellis Jones, Printer. 1901.

Paper, 120 pp. Price, $1.00. Sent free to members and subscribers on receipt of 10 cents for postage, &c.

AN ABRIDGMENT OF THE LAWS OF VIRGINIA. Compiled in 1694. From the original manuscripts in the collection of the Virginia Historical Society. 80 pp., paper. Richmond, 1903.

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VIRGINIA MAGAZINE OF HISTORY AND BIOGRAPHY.

The Virginia Magazine of History and Biography, Edited to October 1st, 1898, by Philip A. Bruce, and since that date by William G. Stanard, Corresponding Secretary and Librarian of the Society, (Seal). Published Quarterly by the Virginia Historical Society, Richmond, Va. House of the Society, No. 707 East Franklin St.

VOLUME I—Octavo, pp. 484-viii-xxvi-xxxii.

Contains cut of the Society's Building, accounts of the proceedings and transactions of the Society for the year 1893, and many exceedingly valuable, original historical documents and papers which have never before appeared in print. Among others may be mentioned, Discourse of the London Company on its administration of Virginia affairs, 1607-1624; Abstracts of Colonial Patents in the Register of the Virginia Land Office, beginning in 1624, with full genealogical notes and an extended Genealogy of the Claiborne Family; The Mutiny in Virginia in 1635; Samuel Matthew's Letter and Sir John Harvey's Declaration; Speech of Governor Berkeley and Declaration of the Assembly with reference to the change of Government in England and the passage of the First Navigation Act of 1651; Petition of the Planters of Virginia and Maryland in opposition to the Navigation Act of 1661 Bacon's Rebellion, 1676; His three proclamations, Letters of Sherwood and Ludwell, Proposals of Smith and Ludwell, and Thomas Bacon's Petition; Letters of William Fitzhugh (1650-1701), a Leading Lawyer and Planter of Virginia, with a genealogical account of the Fitzhughs in England; Lists of Public Officers in the various Counties in Virginia late in the 17th and early in the 18th centuries; Roster of Soldiers in the French and Indian Wars under Colonel Washington; Officers, Seamen and Marines in the Virginia Navy of the Revolution; Roll of the 4th Virginia Regiment in the Revolution; Diary of Captain John Davis of the Pennsylvania Line in the Yorktown Campaign; General George Rogers Clark,—Roll of the Illinois and Crockett's Regiments and the Expedition to Vincennes; Department of "Historical Notes and Queries," containing contributions by Hon. Wm. Wirt Henry, and many other items of value; Department of "Book Reviews;" A full Index. **5 00**

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torical Notes and Queries, containing many valuable short historical papers and also Genealogical contributions, among which the Carr and Landon Genealogies are of special interest; Department of Book Reviews, containing critical articles by well known historical scholars. Volume II, like Volume I, has been thoroughly indexed. 5 00

VOLUME III—Octavo, pp. 460-ii-xxviii.

Contains a full account of the proceedings of the Society for the year 1895, and the following list of articles copied from original documents: Letters of ,William Fitzhugh continued; Instructions to Berkeley, 1662; Virginia under Governors Harvey and Gooch; Causes of Discontent leading to the Insurrection of 1666 under Bacon; Will of Benjamin Harrison the Elder; Culpeper's Report on Virginia in 1683; Defense of Col. Edward Hill; A series of Colonial letters written by William Byrd, Jr., Thomas Ludwell, Robert Carter, Richard Lee, and Sir John Randolph; Decisions of the General Court of Virginia, 1626-1628, first instalment; Indictment of Governor Nicholson by the leading members of his Council; Abstracts of Virginia Land Patents, extending to 1635, with full genealogical notes; A History of Robert Beverley and his Descendants, with interesting Wills and new matter obtained from England; Genealogies of the Flournoy, Cocke, Carr, Todd and Chappell Families; Voluminous Historical Notes and Queries of extraordinary original value, relating to a great variety of subjects; Department of Book Reviews, containing articles from the pens of well known historical scholars. Volume III, like the preceding Volumes, has a full index. 5 00

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MRS. NATHANIEL E. CLEMENT,
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Edited by REV. W. D. SWEETING, M.A.,

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The Virginia Magazine of History and Biography, which is issued quarterly by the Virginia Historical Society, will accept for publication a limited number of advertisements of a suitable character.

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apl.1906-1y.

The Virginia Historical Society.

Members are requested to solicit contributions of books, maps, portraits, and manuscripts of historical value or importance, particularly such as may throw light upon the political, social or religious life of the people of Virginia.

The Society will become the custodian of such articles of this character as the possessors may from any cause be unwilling to give, and in the case of family papers or other manuscripts which it may be undesirable to publish, it will, upon request, keep them confidential.

☞A large *fire proof safe* has been secured and placed in the Society's building, in which all manuscripts and papers of value are carefully preserved by the Librarian.

In the vicissitudes of war, and the repeated removals to which the Society's Library has been subjected, many volumes have been lost and the sets broken. Odd volumes from the collections of its members and well-wishers will therefore be gratefully received.

It is especially desirable to secure as complete a collection as possible of early Virginia newspapers, periodicals and almanacs.

Any book or pamphlet written by a native or resident of Virginia, published or printed in Virginia, or in any way relating to Virginia or Virginians, will be accepted and preserved.

The Society requests gifts of photographs (cabinet size) of old portraits of Virginians, or photographs, drawings, &c., of Coats of Arms of Virginia families. Albums have been provided and an interesting collection has already been made.

$5.00 per Annum. Single No. $1.50

Stanford University Library
JN 10 1907

THE VIRGINIA MAGAZINE

OF

HISTORY AND BIOGRAPHY.

PUBLISHED QUARTERLY BY THE

VIRGINIA HISTORICAL SOCIETY,

RICHMOND, VA.

VOL. XIV—No. 3. JANUARY, 1907.

Entered at the Postoffice at Richmond, Va., as Second-class Matter.

PUBLICATION COMMITTEE.

ARCHER ANDERSON, CHAS. V. MEREDITH,
E. W. JAMES, E. V. VALENTINE,
REV. W. MEADE CLARK.

EDITOR OF THE MAGAZINE,
WILLIAM G. STANARD.

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PROCEEDINGS

OF THE

Virginia Historical Society

AT ITS

ANNUAL MEETING

HELD IN THE

Virginia Historical Society Building, December 18, 1906,

WITH THE

LIST OF OFFICERS AND MEMBERS OF THE SOCIETY.

RICHMOND:
WM. ELLIS JONES, BOOK AND JOB PRINTER.
1907.

PROCEEDINGS

OF THE

Virginia Historical Society

IN

Annual Meeting held December 18, 1906.

The annual meeting was held at the Society's House, 707 E. Franklin street.

President Joseph Bryan called the meeting to order at 8:30 P. M., and requested that Mr. D. C. Richardson act as Secretary.

The President then read the annual report.

THE PRESIDENT'S REPORT.

RICHMOND, VA., December 18, 1906.

To the Members of the Virginia Historical Society;

The Executive Committee of the Virginia Historical Society has the honor to submit the following report for the past year:

Our membership, after deducting all who have been dropped for non-payment of dues, resigned, or have died, now numbers seven hundred and fifty-two.

This gratifying number indicates a continuance of interest in the objects of the Society which, being a purely voluntary organization and dependent upon the support of its members, can appeal only to the higher motives which a love of country and its history imparts to maintain its existence.

The return by members of their dues has been fairly good, but the indifference of some is a source of unnecessary

trouble, which, it is earnestly hoped, a livelier sense of duty may remove.

TREASURER'S REPORT.

The illness and ultimate death of our Treasurer, Mr. Robert T. Brooke, in July last, required the Executive Committee to impose upon our Corresponding Secretary the duties of Treasurer *pro tem.*

The accounts of Mr. Brooke were reviewed by a committee of the Executive Committee, and a full settlement was had with the personal representative of the late Treasurer. His accounts were found in perfect form and precisely exact, and a proper receipt was given to Mr. Brooke's administrator.

The report of the Treasurer *pro tem* is as follows:

Balance on hand November 11, 1905		$ 144 07
RECEIPTS.		
Annual dues	$3,072 02	
Magazines (sales)	366 85	
Publications (sales)	53 25	
Interest	228 00	
Advertisements	67 00	
Miscellaneous sources	1 36	
	$3,788 48	$ 3,788 48
		$ 3,932 55
EXPENDITURES.		
General expenses	$ 389 91	
Stationery, bookbindings	32 45	
Stamps and express	136 78	
Insurance	52 50	
Printing, Magazines, etc	1,031 80	
Papering rooms	95 50	
Repairing roof	53 50	
Salaries	1,574 95	
Wages	240 00	
	$3,607 39	$3 607 39
Balance in State Bank, November 10, 1906		$ 325 16

The Acting Treasurer holds, in addition, on account of the "Permanent Fund"	
3 per cent. Certificates	455 60
3 per cent. Virginia Century Bonds	100 00
Mortgage running 3 years at 5 per cent. from May 4, 1904,	4,500 00
	$5,055 60

Since the end of the fiscal year, Mr. Byam K. Stevens, a generous friend of the Society, has presented $100 to the Permanent Fund.

A further and handsome bequest has been made to the Society by our lamented colleague on the Executive Committee, Mr. Edward Wilson James, of Norfolk, Va., who, by his will, dated in January, 1900, left the Society fifteen shares of stock of the Citizens' Bank, of Norfolk, now worth about $215 a share, a total value of $3,225. There is now pending some litigation in regard to this will, but no doubt is felt that the Society will ultimately receive the bequest, which is the first that we can recall that this Society has received in its seventy-five years of existence. With the gift of Mr. Stevens and the bequest of Mr. James, our permanent fund amounts to $8,380.

In the spring of this year the Executive Committee determined to make some needed improvements in the Society's house, for which they appropriated $250. Mr. S. H. Yonge was made chairman of the committee in charge of the work. Our good friends, the patriotic ladies of the Association for the Preservation of Virginia Antiquities, and of the Colonial Dames of Virginia, who sometimes honor us by holding their meetings in our building, offered to pay half of any additional amount which might be expended above the appropriation, and accordingly paid $137 towards repairs, for which they have our hearty thanks. The work of painting and papering the house has been well and most tastefully done.

The furniture and pictures and many thousands of books

had to be removed and replaced to make way for the workmen. A heavy portion of this burden fell upon our valued Associate Librarian, Mrs. Sally Nelson Robins, who executed her functions to our great satisfaction. Other repairs were made as will appear in the Treasurer's report.

GIFTS AND LOANS.

Among the gifts and loans of objects of historic interest which have been made during the last year to the Society, the following may be mentioned:

From Mr. Edward Wilson James: Engraved portraits of Commodore Richard Dale, Justice P. V. Daniel, of the United States Supreme Court; John M. Daniel, the famous war editor, and Rev. J. L. Burrows, D. D., a distinguished Baptist divine.

From Mrs. Fletcher A. Archer, Petersburg, Va., (loan), a frame drawing of the battlefield of Buena Vista, done by George F. Richards, Saltillo, September 11, 1847.

From Mr. R. B. Munford, Jr., engraved and lithographic portraits of Commodore Maury, President Davis, General T. J. Jackson; a colored lithograph of Washington's tomb, 1858; a photograph of the members of the Richmond City Government in 1870, and a rare armorial book-plate of Theodorick B. Banister.

From Mr. Jeffry Montague, Richmond, Va., a photograph of an old vellum pedigree of the Peyton family, prepared in 1684, and giving the name of Robert Peyton as in Virginia.

From the Jewish Historical Society, a beautiful bronze medal, struck by that Society to commemorate the two hundredth and fiftieth anniversary of the settlement of Jews within the present United States.

From General C. W. Robinson, Beverley House, Ealing Rise, Ealing, England, (a descendant of Christopher Robin-

son, who left William and Mary College to join the English forces), a photograph from the original at Fulham Palace, London, of the portrait of John Robinson, Bishop of London, within whose diocese Virginia once lay, and whose brother, Christopher Robinson, of Middlesex county, Va., was the ancestor of a well known Virginia family.

From Mr. St. George T. C. Bryan, Richmond, Va., portions of bayonets, gun barrels, etc., from the site of the Virginia Revolutionary Armory, at Point of Fork, near Columbia, Va.

From the heirs of the late Dr. J. B. McCaw, Richmond, Va., an oil portrait (bust size) of General R. E. Lee, painted from life during the Civil War, at Winchester, Va., by E. C. Bruce. The Society is deeply indebted to the family of Dr. McCaw, for allowing this valuable portrait to find a fitting home in the house which was General Lee's war residence.

From Miss Helen Chambers Bouldin, through Mr. W. W. Scott, State Law Librarian, (loan), a MS copy of General Lee's last general orders, with his autograph signature. This most interesting document will find a suitable place near the portrait which has just been described.

From Mr. W. W. Scott, State Law Librarian, (loan), an armorial book-plate of George Wythe, signer of the Declaration of Independence. Underneath is written (inside the book back) "Given by Thos. Jefferson to D. Carr, 1806."

From Mr. E. P. Valentine, engraved portrait of John P. McGuire, distinguished teacher and member of our Executive Committee.

In writing of additions to our portraits attention should be called to another recently made. At the back of a drawer in an old bookcase was found an engraved portrait of Lord Botetourt. It is stated to be done from a medallion in the possession of John Norton, Esq., is dated London, 1774, and is dedicated by the engraver, H. Ashby, to the General As-

sembly of Virginia. This very rare and perhaps unique picture has, of course, been suitably framed and hung.

Other persons who have made donations of books and objects of historic or antiquarian interest have been: Miss Mary E. Simmott, Miss Susan M. Kingsbury, Mrs. L. B. Tandy, Mrs. Virginia A. Garber, Mrs. Cassie Moncure Lyne, Miss Mary Greenhow, the Marquis Ruvigny and Raineval, Messrs. P. A. Bruce, C. A. Converse, W. Gordon McCabe, A. C. Quesenbery, Edwin Sauter, Edward Wilson James, William Wallace Tooker, James Davis, B. G. Randolph, B. G. Thwaits, R. B. Munford, Jr., J. A. Groves, Samuel A. Green, Joseph Bryan, N. Darnall Davis, (British Guiana), J. F. Crocker, William Clayton Torrence, John T. Goolrick, A. M. Waddell, T. C. Morton, G. F. Judah, (Kingston, Jamaica), W. F. Cooper, and W. G. Stanard.

ADDITIONS TO LIBRARY.

The additions to the library consist of three hundred and eighty-four books and pamphlets, many of them of high value.

Our numerous exchanges with various historical and genealogical societies in the United States, Canada, England, France and Sweden, bring us constantly a very valuable collection of material which is nowhere else to be found in the State. These exchanges are indexed when received, and when the means of the Society will permit their being properly, promptly and regularly bound, their use will be much facilitated.

A number of volumes of newspapers have been bound during the year, and more shelf room is a crying need for these as for other sections of our library.

The binding of pamphlets, chiefly in binding cases, has been done to some extent this year, but the confusion consequent upon the repairs to the building has prevented as much being done as was desired.

As in previous years, our library and manuscript collection has been largely used by students.

Through the work of our very careful and accurate copyist, Miss Anne C. Bentley, we have added to our manuscript collection two large volumes with index, containing all the reference to revolutionary officers and soldiers which appear in the journals of the Conventions, and the first fifteen years of the House of Delegates.

Miss Bentley has just completed an index of names to the Minute Books of the General Court of Virginia, 1670 to 1676. As soon as the slips can be arranged and copied the index will be available to those who desire to consult it.

Reference was made last year to the approaching publication by the Library of Congress, of that monumental record of early Virginia history, the minutes of the London Company. This work has been printed and has been given to the public.

Librarian Putnam and Chief of the MSS Division, Ford, have done a vast service to early American history in the publication of these minutes. The volumes are made more valuable by the learned introduction by Miss Susan M. Kingsbury.

The Virginia State Library has continued its good work of last year by publishing in the same beautiful style the Journals of the House of Burgesses, 1770-1772. The State Library has received a number of copies of MS Journals, some of them previously unknown. The same institution published during the year a valuable catalogue of the State Archives.

In concluding a brief review of historic work in regard to Virginia, it should be stated that it is understood that our present member and former colleague on this committee, Mr. P. A. Bruce, has finished his Institutional history of Virginia in the Seventeenth Century, which concludes his stud-

ies of that period. The work will, it is believed, appear during 1907, and will be a book of immense value.

PUBLICATIONS.

The programme mapped out by the Committee for the Magazine at its 1905 meeting has been steadily adhered to, and will be carried out during the coming year. It is gratifying to state that the contents of the Magazine during the past year, especially the subjects relating to the settlement of Western Virginia, and the German emigration, have received high commendations from scholars in many sections of the country.

In January, 1906, was reprinted a very rare (perhaps unique) pamphlet, published in Williamsburg, 1756, and giving an account of the treaty between Virginia and the Catawbas and Cherokees in that year. This treaty was a matter of vital moment to the Colonies at that time. In the same magazine the publication of the Vestry Book of King William Parish, which has been translated from the original French, and edited in such a scholarly manner by Professor R. H. Fife, of Wesleyan University, was concluded. In April ended the very valuable series of extracts from the Council Journal of 1722-1734, which has been published under the title, "The Early Westward Movement of Virginia," and which, with Mr. Charles E. Kemper's most thorough editing, has added so much to the knowledge of the history of the settlement of the Valley of Virginia.

In April was begun the series of Revolutionary Army orders for the then main army, under Washington, which has been, and will continue to be, a very valuable contribution to Revolutionary history.

With the instalment in the January, 1907, Magazine, we will have published all (with the exception of some unpublished laws, which will be printed later) of those precious

fragments, which Mr. Conway Robinson gathered from the old Virginia Records, destroyed by fire in 1865.

In the same number of the Magazine the series of abstracts and copies from the English Public Records, which have been in course of publication for several years, was brought down through Harvey's administration. There have been published in this series not only many full copies from the Winder, DeJarnette and McDonald papers, but a series of abstracts prepared by Mr. Sainsbury for the State of Virginia, which are much fuller than those given in the printed English calendar of Colonial State Papers.

It may be well to state here that the publication of the Sainsbury abstracts, etc., had reached the year 1625, when the publication committee was informed in December, 1899, by the late Alexander Brown, that he possessed full copies of all Virginia documents in England from 1607 to 1627, which he proposed to publish. It was then determined to stop the continuous publication of the abstracts, and to begin again in 1628, in order not to interfere with Mr. Brown's plans. Nothing seems to be known of this complete collection of copies since Mr. Brown's death, so that it may be well for the Society to take up and print the documents for 1626-1627.

The Virginia Legislative Papers have been printed throughout the year, and contain an abundant mass of valuable unpublished material for future years. The most valuable of these papers during the year have been the Indian treaty at Fort Pitt (Dunmore) in 1773, the petitions of the various county committees of safety and the intercepted letters of the Norfolk and Portsmouth Loyalists.

With the July number began what our chief historical contemporary describes as a most valuable series of documents, the publication, in as an entire a form as the originals will admit, of the Journals of the Executive Council, 1737-1763.

In this, too, we have abundant material for some time to come.

Professor W. J. Hinke, of Philadelphia, to whom we have been before much indebted, gave in the October Magazine, a most valuable contribution, chiefly from German sources, of the interesting settlement and Church of the German Lutherans, who came to the present Madison county about 1725.

Mr. Lothrop Withington, of London, has continued and promises to continue his "Gleanings" from English wills, relating to Virginia, which have given so much information in regard to the social status, and English homes of emigrants to Virginia, as well as amount of property owned by testators in Virginia. These business relations with England are biographical facts in the lives of prominent colonists.

Of the miscellaneous articles of the Magazine we may mention Commissions to Governors, letters, extracts from county records and genealogies.

In the January, 1907, Magazine, were begun the publication of the papers copied some years ago for the Society from the Virginia Records in the Library of Congress, This first instalment contains several papers of much importance on Bacon's Rebellion.

As has been stated, the programme laid out for the Magazine at the beginning of 1906, provides ample material for publication for 1907. It has also been thought, however, that the committee might deem it advisable to commemorate the year 1907 by a special series of publications in addition and supplementary to the regular issues of the Magazine. If so, it is suggested that this series consist of reprints of what may be called the fundamental documents of Virginia history, and of early pamphlets in regard to the same subject, which are practically inaccessible. It is, of course, known that many of the documents referred to are accessible to students in large cities, but even to them it will be con-

venient to have these documents so grouped. It is moreover the desire of this Society to spread a knowledge of Virginia history among the many who are not specialists in that subject, and to give them, far away from large cities, as many of them are, an opportunity to have the original sources at hand. The proposed list now given, merely tentatively and not worked out in detail, is as follows:

1. Letters patent to Sir Humphrey Gilbert, 1578.
2. Letters patent to Sir Walter Raleigh, 1584.
3. First charter of Virginia, April 10, 1606.
4. Instructions for Virginia, November 20, 1606.
5. Ordinance and Constitution enlarging the number of Councils, etc., March 9, 1607.
6. Orders and instructions from the King's Council for the Government of the Colony, (printed in Neill's Virginia Company, 4-8).
7. From the King's Council, advice to the Colony on Landing (*Ib.* 8-14).
8. Drayton's Ode to the Virginia Voyagers.
9. Smith's True Relation.
10. The description of the new discovered river and country in Virginia, (MSS copy State Library and print Archæologia Americana, IV, 59-62).
11. Second charter of Virginia, March 3, 1609.
12. Third charter of Virginia, March 12, 1611-12.
13. Ordinance and Constitution for a Council of State and General Assembly in Virginia, July 24, 1621.

The charter of laws and ordinances, dated November 13, 1618, which first granted an Assembly to Virginia, has not been found, but the above is believed to be a copy, with the necessary alterations of names and dates.

14. Journal of the First Assembly, 1619.
15. Edward Waterhouse's Declaration of the State of the Colony, the massacre, etc., London, 1622, (a rare pamphlet not reprinted).

The items which have been given will be sufficient to show the character of the proposed series. Copying the rare pamphlets will be some additional expense, and it is also suggested that the publication be illustrated with portraits, *fac-similies* of title pages and of documents, views, etc.

REVIEW OF PAST WORK.

The present speaker in his first address in an earlier administration, reviewed the historical work of the Society prior to 1892. It may be well here to state briefly what has been done since that time in the publication of the Magazine.

In addition to the great mass of other material, we have printed more than 3,200 pages of hitherto unpublished manuscripts—original sources on the history and antiquities of Virginia. Taking up our history at an early period, we printed a number of Ferrar papers, the now well known "Declaration of the Old Company," (1625), and followed this with very many commissions, instructions, reports, proclamations, etc. Taking Sainsbury's abstracts from the Virginia records in the British Public Record Office, as a basis, (abstracts much fuller than those given in the printed English calendars), we not only printed them, but also many full copies which were to be found in the McDonald, DeJarnette and Winder papers in the State Library. This series has been carried down to 1640. The invaluable notes made by Conway Robinson from the Seventeenth Century Virginia Records, which were burnt in 1865, have been published in entirety. We gave for the first time the documents relating to the deposition of Governor Harvey, in 1635, and published for the first time since 1652, the letter of that date describing the surrender of Virginia to the Parliamentary forces. The 180 or 190 pages relating to Bacon's Rebellion, comprise all known unpublished matter of any importance, including the very valuable report of the Commissioners. In regard to the stormy administration of Governor Nicholson and the

founding of William and Mary College, we have printed much new and valuable material. The details of the running of the Virginia and North Carolina boundary line in 1710 were unknown until our publication of reports and depositions. The Moravian diaries (translated from the German) containing the earliest contemporary accounts of the Valley of Virginia, and all the entries in the Council Journal, 1722-1734, relating to the western portion of Virginia, furnished for the first time real materials for the beginning of the history of that great section. These extracts from the Journal, together with the diaries, give a vast amount of information in regard to the early German element, and we have also published the first accurate account of the founding of the German Lutheran Church in the present Madison county. Intercourse with the Indians has been illustrated by the treaties (often accompanied by letters and journals) with the Virginia Indians in 1677, at Lancaster, 1744, at Logs Town, 1752, with the Catawbas and Cherokees in 1756, with the Cherokees in 1760 and 1770, and at Pittsburg in 1775. The printing of the Executive Journal of Council, 1736-63, now in progress, fills a decided gap in our historical material, and the letters of the Virginia Committee of Correspondence and Montague, the Virginia Agent in England, 1759-67, afford very valuable data for that period. The rosters of Virginia companies in the French and Indian wars gave for the first time some idea of the personnel of the Virginia forces at that time, and Newell's order-book and diary was the longest document which has been published in regard to the Point Pleasant Campaign. Redd's reminiscenses were full of new material in regard to Southwestern Virginia in pre-Revolutionary days, and the 325 pages relating to that struggle contain many important rosters, letters, etc., including the correspondence of General Phillips, commanding the British prisoners at Charlottesville, with Colonel Bland commanding the American force as guard.

In regard to Colonial legislation, we have printed the acts (as far as they survive) of a hitherto unknown session of 1641, and a complete abridgment of Virginia laws prepared in 1694. The very interesting Huguenot element in our population has been illustrated by the vestry book of King William parish, 1707-1750, translated from the French original. The long series of letters of William Fitzhugh threw much light on social and business conditions at the end of the seventeenth century. The *"Virginia Legislative Paper,"* consisting of petitions, letters, etc., sent to the Legislature from 1774 down have proved a fruitful source of information.

These are only some of the subjects which have been treated of in our publication of original documents. To these may be added the *John Brown Papers*, the series of land grants down to 1636, the extracts from the county records, the great number of wills, giving information in regard to people and property, the letters of Washington, Jefferson, Henry Lee, Lafayette and many others, the extracts from parish registers, the full history of the trustees of Hampden-Sidney College, lists of members of the House of Burgesses, Catalogues of Virginia newspapers in public libraries, genealogies, and other subjects bearing on Virginia history and antiquities, cover a field entirely too large even to be mentioned in the briefest way.

Nor have our larger articles been altogether the publication of documents. Mr. S. H. Yonge's *"Site of Old Jamestown,"* was first published in the Magazine, and gave students for the first time an accurate knowledge of our famous old capital.

DEATHS.

The hand of death has been laid with unprecedented heaviness upon the body of our membership during the past year. Seventeen of our members have answered the call, and among them were some distinguished by their scholarly attainments

and public services, and some who were close to our daily lives in the fellowship of the Executive Committee.

We have thus lost:

ROBERT T. BROOKE, Treasurer Virginia Historical Society.
JOHN P. MCGUIRE, Member Executive Committee.
EDWARD WILSON JAMES, Member Executive Committee.

HONORARY MEMBER.

ALEXANDER BROWN, Nelson county, Va.

LIFE MEMBER.

GEORGE M. BAIN, Norfolk, Va.

ANNUAL MEMBERS.

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COL. A. E. DICKINSON, New York, N. Y.
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WILLIAM B. ROBINS, Richmond, Va.
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H. C. WITHERS, Austin, Texas.
COL. R. H. DULANEY, Loudoun county, Va.

Mr. Robert T. Brooke had been the faithful and efficient Treasurer of this Society since February, 1882.

He was not only precise and punctual in the discharge of his duties, but, belonging to a family which had long been conspicuously and honorably identified with the history of Virginia, he was thoroughly interested in the work of the Society, and his venerable presence was a veritable benediction upon the meetings of the Executive Committee.

John P. McGuire had the zeal of a crusader in his love for Virginia, and all that belonged to her glorious, but tragic past. To this ardent spirit he added the cultivation of a scholar and the training of a distinguished teacher. His enthusiasm was a power "to provoke us to good works," and its influence will be felt to the last by those who had the privilege of being brought under its power.

Edward Wilson James was by nature and long exercise an antiquarian of the most devoted order. Enjoying an ample fortune, he abstained from active business, and employed a life unencumbered with the cares of a family to historical investigation, to illustrate which, he published for many years a magazine of his own, the "Lower Norfolk County Virginia Antiquary." In leaving this Society a legacy worth nearly $3,300, he has not only done us a much needed and highly appreciated benefit, but has been the first to exemplify the fact that this society is by law permitted to receive such bequests.

Alexander Brown had by his patient and laborious research added much to the knowledge of the earliest history of Virginia. He sought the very fountain-heads of information. He was not only an honorary member of this Society, but an honor to the literature of the State.

The names of other distinguished men in our mortuary column give much material for eulogy, but without rehearsing them, it may be said that from this Society in all its history, the great Reaper has never garnered a richer sheaf.

THE TER-CENTENNIAL.

As we approach the great anniversary which completes the three hundredth year of the settlement at Jamestown, and take retrospect from our present place in this nation of unparalleled development and wealth back to the desperate condition of those who strove despite starvation, disease and death to found a home on these Atlantic shores, our eagerness increases to study every step those brave men and wo-

men took. There is implanted in every noble heart a reverence for its ancestry, and where that reverence is lacking, the deficiency is marked by a speedy decline and ultimate decay of such people. Where the proper spirit exists in those who are blessed with an ancestry of honorable, patriotic and heroic mould, such a people may expect to attain and maintain a foremost place in civilization. And such is our fortunate condition.

The fullness of our time is upon us, and we are to show in every way in our power that we both understand and rightly appreciate the magnitude of the achievements of those who have made the history of Virginia from her very foundation until now.

While exerting ourselves to do our plain duty in this respect, we are encouraged by the great interest which this ter-centennial is arousing and, indeed, has aroused throughout our country and abroad. The immense part which was performed for this nation by Virginians, upon the soil of Virginia, is becoming more and more understood and appreciated. It seems to have required some striking event to concentrate the minds of men upon the truths of history as to Virginia. This has been done and our State, with the generous and cordial aid of the United States government, and especially of President Theodore Roosevelt, is making elabborate preparation to appropriately celebrate in the summer and fall of 1907, the settlement at Jamestown in 1607.

As a proper subject to be put on the records of this Society, as well as for the immediate information of our members, it seems proper to state briefly some of the more important steps which have been and will be taken at Jamestown to mark the year 1907.

It should be mentioned as a subject of great satisfaction that the United States government has already, at the expense of over $40,000, put a most substantial wall on the northwest end of Jamestown Island, which will effectually and,

we believe, permanently check the inroads of the river, and preserve from the wasting waters the most historic and interesting portion of the island. This invaluable and indispensable service was rendered by the government primarily to the Society for the Preservation of Virginia Antiquities, and was secured through the indefatigable exertions of the late Mrs. J. L. M. Curry, and the late Honorable George Frisbie Hoar, United States Senator from Massachusetts, without whose unfailing interest the work would probably never have been done in our time. These two, above all others who were engaged in this work, should this Society hold in grateful memory.

The United States government has ordered the erection at Jamestown of a granite monument about 100 feet high, of the same design as the national Washington monument. This monument will be near the old Church Tower, and fronting the river. A wharf will be built by the government close by, giving convenient access from the river. The necessary land has been conveyed by the A. P. V. A. The President has very kindly indicated that the inscriptions on this monument shall be satisfactory to that Society.

The reconstruction of the old church has been undertaken by the Colonial Dames of America, and the services of a most accomplished architect engaged for the work. By a very skillful use of concrete piers and heavy steel beams the old foundations will not be disturbed by the new structure, but will be superimposed without resting on the old brick foundation.

The old tower will remain intact. The Daughters of the American Revolution will erect on the grounds a building of Colonial form.

The descendants of Pocahontas have given a commission to Mr. Partridge to erect a bronze statue to the Indian Princess, and the ladies of the Association for the Preservation of Virginia Antiquities, have contracted with the sculp-

tor, Mr. William Couper, to make a bronze statue of Captain John Smith. All this work, it is expected, will be completed by May, 1907.

This Society will co-operate with the State of Virginia in making a historical exhibit at the Jamestown Exposition, which it should be said for the benefit of those not familiar either with the geography of the place or the plans of the Exposition Company, will be held, not on Jamestown Island, but about forty miles down, at the mouth of James river, on Hampton Roads, opposite Fortress Monroe.

Our exhibit will consist mainly of a great mass of the autographs and manuscripts of distinguished Virginians from and including Sir William Berkeley, down to and including the Revolutionary period.

Besides these there will be numerous documents illustrating old methods of conveying land, Governors' proclamations, Royal vetoes, proceedings in Council and the House of Burgesses, usages of courts, and methods of business, and economic conditions, medicine, education and libraries.

It is to be hoped that the stir which this movement will create will bring to light further material of historic interest which has been overlooked, ignored or forgotten by the possessors throughout the State.

In conclusion, I may say that never in its history have the present affairs of our Society been in better condition, or its future so full of fair promise, and while the members of the Society and the Executive Committee have all in their respective spheres contributed to this happy result, yet the principal factor in securing and preserving the excellent position this Society has obtained, both at home and abroad, has been the learning and labors of our corresponding secretaries. The work begun and executed with such distinguished success by our late corresponding secretary, Mr. Philip A. Bruce, was on his resignation taken up and carried forward by our present corresponding secretary, Mr. William G. Stan-

ard, with an earnestness and fidelity which has won for him, as he deserves, the confidence and esteem of this Committee, but especially of your President who gratefully acknowledges his indebtedness to Mr. Stanard for indispensable information and material in preparing this report.

It will gratify the friends of the Society to know that the annual address, required by our Constitution, will, on the fourth of January, 1907, be delivered by Mr. Worthington C. Ford. This Society has been singularly fortunate in securing the cordial aid of the best historians of our country in performing this constitutional duty, and in the present instance, we have every reason to congratulate ourselves.

JOSEPH BRYAN, *President.*

At the conclusion of the report the President announced that the next business in order was the election of officers and members of the Executive Committee for the year 1907.

On motion, a nominating committee was appointed, and this committee, composed of Messrs. Wm. Ellis Jones, Chairman, W. L. Sheppard, and S. S. P. Patteson, brought in the following nominations:

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Corresponding Secretary and Librarian—William G. Stanard.

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The officers nominated were unanimously elected.

On motion, the meeting adjourned.

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OF THE

Virginia Historical Society

JANUARY, 1907.

———o———

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McGraw, John T., Grafton, W. Va.
McGuire, Dr. Edward, Richmond, Va.
McGuire, Mrs. Frank H., Richmond, Va.
McGuire, John Peyton, Jr., Richmond, Va.
McIlwaine, Prof. H. R., Hampden-Sidney College, Va.
McIlwaine, W. B., Petersburg, Va.
McLellan, Mrs. Aurora P., Athens, Ala.

Nash, H. M., M. D., Norfolk, Va.
Naylor, Hugh E., Front Royal, Va.
Nelson, Rev. James, D. D., Womans' College, Richmond, Va.
Newton, Mrs. Virginius, Richmond, Va.
Nicholls, Rt. Rev. W. F., San Francisco, Cal.
Niedringhaus, Mrs. T. K., St. Louis, Mo.
Noblit, J. H., Philadelphia, Pa.
Nolting, W. Otto, Richmond, Va.
Norbury, Miss Elizabeth S, Denver, Col.

Ogden, Robt. C., New York.

Old, Major, W. W., Norfolk, Va.
Oliver, Dr. A. S., Elberton, Ga
Otter, John B., Louisville, Ky.
Owen, Thomas M., Montgomery, Ala.

Page, Mrs. Mann, Elizabeth, N. J.
Page, S. Davis, Philadelphia, Pa.
Page, L. W., Washington, D. C.
Page, Rosewell, Richmond, Va.
Page, Thomas Nelson, Washington, D. C.
Palmer, Col. William H., Richmond, Va.
Parish, Robert L. Covington, Va.
Parker, Col. John, Browsholme Hall, Clethiroe, Lancashire, Eng.
Parker, Mrs. H. H., Portland, Oregon.
Parker, W. S. R. Beaumont, Texas.
Patterson, James A , Philadelphia, Pa.
Patteson, S. S. P., Richmond, Va.
Pegram, John Combe, Providence, R. I.
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Pennington, William C., Baltimore, Md.
Pescud, Peter F., New Orleans, La.
Peterkin, Mrs. George W., Parkersburg, W. Va.
Pettus, William J., M. D., U. S. Marine Hospital Service, Washington, D, C.
Phifer, Robert S., Richmond, Va.
Phinizy, Mrs Billups, Athens, Ga.
Pickett, Thomas E., M. D., Maysville, Ky.
Pinckard, W. P., Birmingham, Ala.
Pittman, Mrs. H. D., St. Louis, Mo.
Pitts, A. D., Selma, Ala.
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Pollard, Henry R., Richmond, Va.
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Price, Judge John W., Bristol Va.
Price, Theodore H., New York, N. Y.
Pritchett, Carr W., Independence, Mo.
Pryor, Gen. Roger A., New York, N. Y.
Pugh, A. H., Cincinnati, Ohio.
Pullen, Charles L , New Orleans, La.
Pulliam, D. L., Manchester, Va.
Purifoy, Francis M., Furman, Alabama.
Purcell, Col. J. B., Richmond, Va.

Raborg, T. M. T., New York, N. Y.
Raines, Dr Thomas H , Savannah. Ga.
Ramsay, Mrs. Wm. McC., Westover, Va
Randolph, Beverley S., Berkeley Springs, W. Va.
Randolph, Rt. Rev. A. M., D. D., Norfolk, Va.
Randolph, G. A., Warrensburg, Ills.
Ranson, Geo. W., Beaver Lick, Ky.
Raymond, C. H., New York, N. Y.
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Reynal-Upham, W. H., London, Eng.
Richardson, Albert Levin, Baltimore, Md.
Ridenour, Miss Emma B., Indianapolis, Ind.
Ridgeley, Mrs. Jane M., Springfield, Ills.
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Rives, Mrs. W. C., Washington, D. C.
Rixey, Surgeon-General P. M , U. S. N., Washington, D. C.
RoBards. Col John Lewis, Hannibal, Mo.
Robertson, Mrs. Fred. S , Manchester, Va.
Robertson, Thos. B., Eastville, Va.
Rockwell, Mrs. Eckley, West Philadelphia, Pa.
Roller, Gen. John E., Harrisonburg, Va.
Roosevelt, Hon. Theodore, President of the United States, Washington, D. C.
Roper, Bartlett, Sen., Petersburg, Va.
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Ruggles, Mrs. Va. Cabell, Wauwatosa, Wis.
Ryan, Thos. F., New York, N. Y.

Sands, Conway R., Richmond, Va.
Savage, N. R., Richmond, Va.
Schindel, Mrs. D. J. Byard, Fort Leavenworth, Kansas.
Schouler, Prof. James, Boston, Mass.
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Scott, W W , Richmond, Va.
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Shippen, Mrs. Rebecca Lloyd, Baltimore, Md.
Sitterding, Fritz, Richmond, Va.
Slaughter, A. D , Chicago, Ill.
Sloan, Mrs. Homer F., Imboden, Ark.
Smith, Mrs. E. P., Austin, Texas.
Smith, Willis B., Richmond, Va.
Smith, Mrs. Rosa Wright, San Francisco, Cal.
Smith, Commander R. C., U. S. N., Washington, D. C.
Snowden, W. H., Arcturus, Va.
Spears, Harry D., New York, N Y.
Spencer, Mrs. Samuel, Washington, D. C.
Spencer, J. H., Martinsville, Va.
Spotswood, Mrs. W. F., Petersburg, Va.
Stanard, W. G., Richmond, Va.
Steiger, E., New York, N. Y.
Stephens, Prof. H. Morse, Berkeley, Cal.

Stewart, Miss Annie C., Brook Hill, Va.
Stewart, Miss E. Hope, "
Stewart, Miss Norma, "
Stewart, Miss Lucy W., "
Stewart, Rev. J. Calvin, Richmond, Va.
Stewart, J. A., Louisville, Ky.
Stimson, Mrs. Daniel M., New York.
Stith, Dr. Charles H., New Bern, N. C.
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Stone, Rev. A. E., D. D., La Porte, Ind.
Stone, Mrs. Mary F., Washington, D. C.
Strater, Mrs. Charles G., Louisville, Ky.
Stratton, Miss Mabel Ladd, Richmond, Va.
Stringfellow, Maj. Chas S , Richmond,Va.
Strother, Hon. P. W., Pearisburg, Va.
Summers, L. P , Abingdon, Va.
Sydenstricker, Edgar, Lynchburg. Va
Symington, Miss Edith, Churchville, Md.

Taber, Dr. George E., Richmond, Va.
Taliaferro, Mrs. Richard P., Ware Neck, Va.
Tandy, Mrs. L. M. B., Columbus, Mo.
Tarvin, Mrs. J. P , Covington, Ky.
Taylor, Dr. Fielding L., New York, N. Y.
Taylor, G. A., New York, N. Y.
Taylor, W. E., Norfolk, Va.
Terhune, Mrs. E. T., Pamplin Lake, N. J.
Thayer, Mrs. Annette, Martinsburg, W.Va.
Theus, Mrs. W. R., Jackson Tenn.
Thomas, Douglas H., Baltimore,Md.
Thomas, John L., De Soto, Mo.
Thomas, R. S., Smithfield, Va.
Thompson, Mrs. Maurice, Crawfordsville Ind.
Thornton, G. B , Jr., Memphis, Tenn.
Thornton, Mrs. Champe F., Norfolk, Va.
Throckmorton, C.Wickliffe, New York,N.Y.
Thruston, R. C. Ballard, Louisville, Ky.
Tilghman, Mrs. A. D. B , Cumberland, Md.
Todd, George D., Louisville, Ky.
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Travers, S. W., Richmond, Va.
Tree, J. B., "
Tucker, H. St George, Washington, D. C.
Tucker, J. D., South Boston, Va.
Tunstall, Richard B., Norfolk, Va.
Tyler, Mrs. A. M., Richmond, Va.
Tyler, Prof. Lyon G., Williamsburg, Va.

Underwood, Gen. John C., Covington, Ky.
Upshur, Rear Admiral John H., U. S. N., Washington, D. C.
Upshur, T. T , Nassawaddox, Va.

Valentine, B. B., Richmond, Va.
Valentine, E. P., Richmond, Va.
Valentine, E. V., "
Valentine, G. G., "
Valentine, M S., Jr., "
Vermillion, John, Norfolk, Va
Vinsonhaler, Judge D. M., Omaha, Neb.

Waddey, Everett, Richmond, Va.
Waggener, B. P., Atchinson, Kan.
Walke, Cornelius, New York, N. Y.
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Walker, G. A., Richmond, Va.
Walker, J. G., Richmond, Va.
Walker, L. S., Woodstock, Va.
Ward, Colonel John H., Louisville, Ky.
Warren, L. R., Richmond, Va.
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Washington, W. De H., New York.
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Wayland, J. W., Charlottesvile, Va.
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White, J. B., Kansas City, Mo.
White, Miles, Jr., Baltimore, Md.
White, W. T., Waco, Texas.
Whitner, Charles F., Atlanta, Ga.
Whitsitt, Rev. W. H., D. D. Richmond, Va.
Whittet, Robert, Richmond, Va.
Whitty, J. H., "
Willard, Mrs. Joseph E., Fairfax Co., Va.
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Williams, John G., Orange, Va.
Williams, J. P., Savannah, Ga.
Williams John Skelton, Richmond, Va.
Williams, Mrs. Robt K., Norfolk, Va.
Williams, S. D., Philadelphia, Pa.
Williamson, D A., Covington, Va.
Williamson, Jesse H., Muncie, Indiana.
Williamson, J. T., Columbia, Tenn.
Willis, Mrs S. A., Lichfield, Conn.
Wilson, H. Allen, Milwaukee, Wis.
Winston, James B., Richmond, Va.
Wingo, Chas. E., Richmond, Va.
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Wise, Prof. Henry A., Baltimore, Md.
Wise, John C., M. D., U. S. N., Washington, D. C.
Wise, Rear-Admiral Wm. C., U. S. N.
Withers, Alfred D., Roane's, Va.
Withington, Lothrop, London, Eng.
Woodhull, Mrs. Oliver J., San Antonio, Texas.

Woodhouse, Miss Adelaide, Nimmo Va .
Woodhouse, J. Paul, Nimmo, Va.
Woods, Miss Katherine P., Marion, N. C.
Woods, Hon. Micajah, Charlottesville, Va.
Wootton, W. H., New York, N. Y.
Wrenn, John H., Chicago, Ill.
Wrenn, Rev. Virginius, Amelia C. H. Va.
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Wysor, Harry B., Muncie, Indiana.
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Zimmer, W. L , Petersburg, Va.
Zimmer, W. L., Jr., Petersburg, Va.

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THE

VIRGINIA MAGAZINE

OF

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VOL. XIV. JANUARY, 1907. No. 3.

JOURNALS OF THE COUNCIL OF VIRGINIA IN EXECUTIVE SESSIONS, 1737-1763.

(From the Originals in the Virginia State Archives.)

(CONTINUED)

At a Council held at the Capitol Nov. 9th, 1738.

PRESENT:

The Governor

Mr. Com'y Blair	Wm Randolph
Jno. Robinson	John Tayloe
Jno. Carter	Phil'p Lightfoot
Jno Grymes	Thos. Lee, Esq.

Francis Hern is appointed an Inspector at Roy's Warehouse.

The Office of Adjutant General being Vacant by the death of Maj'r Ab'm Nicholas, & the Board being sensible of what use the continuance of that Office will be towards the training & disciplining of the Militia, It is therefore resolved that Capt. Isham Randolph* a Gentleman well known & universally [be-

*Isham Randolph, son of William Randolph (1st) of "Turkey Island," lived at "Dungeness" Goochland County. He was member of the House of Burgesses for Goochland at the sessions of Nov. 1738, and

loved] acceptable in the Country Be & is hereby appointed Adjutant General in the room of the said Nicholas.

John Custis Esq'r present.

May, 1740. He died in 1742 and was buried at "Turkey Island." His epitaph is as follows:

Sacred to the Memory
of Col. Isham Randolph
of Dunginess in Goochland County
Adjutant General of this Colony
He was the third son of William Randolph
and Mary his wife.
The distinguishing qualities of the
Gentleman he possessed in an
eminent degree: To justice
probity & honour so firmly attached
That no view of secular interest or
Worldly advantage, no discouraging
frowns of fortune could alter his
steady purpose of heart. By an easy
compliance and obliging deportment
he knew no enmey, but gained Many
friends, thus in his life meriting an
universal esteem. He died as uni-
versally lamented Nov'r, 1742 age 57
Gentle Reader go & do likewise.

The following is an abstract of Isham Randolph's will: Have promised Peter Jefferson £200 sterling on his marriage with my daughter Jane. Give to unmarried daughters £200 sterling each, "if my estate will raise so much." Bequest to three sons. To wife Jane my lands in Goochland and Amelia and slaves. "Whereas, I have in possession (in right of my wife) certain leasehold estate of yearly value and a certain sum of money, jointly with her, by a decree in Chancery chargeable on Kenton, the estate of William Lilburn, Esq., deceased, in the Bishoprick of Durham, and also another sum of money, the legacy, of Elizabeth Lilburn, to be paid by her executors when the estate of Kenton is sold, which money my wife, I apprehend, has a right to without my bequest." William Randolph, Esq , Col. Richard Randolph, William Randolph, Jr., Beverley Randolph and Peter Randolph guardians, to children. Dated April 6, 1741. Codicil: Legacies to Sister Stith, and to my son William a negro left him by my father William Randolph. Witnesses: Tarlton Fleming, Wm. Redford and Hannah Fleming. Proved in Goochland Dec. 21, 1742.

Isham Randolph married Jane Rogers, of Shadwell, London, Eng-

A petition of David Mossom Jun'r* Praying a License to practise as an Attorney in the County Courts of this Colony being read at the Board is refered to Rich'd Francis Esq'r Barrister at Law to examine the Petitioners qualifications & make report thereof to this Board.

A Petition of John Chapman Praying a License to practice as an Attorney in the County Courts of this Colony being read at the Board is referred to Mr. Attorney General to examine the Petitioners qualifications & make report thereof to this Board.

Sundry Petitions for Land were read & granted as follows Vizt:

To Henry Childs two thousand Acres in Amelia County about two Miles above the Mountains.† To Michael Holland,

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land. Her will dated Dec. 5, 1760, was proved in Goochland July 21, 1761. She gives her son Isham the land called Dungeness (3000 acres) and makes bequests to her sons William and Thomas and daughter Elizabeth Raley, Dorothea Woodson, Ann Pleasants, and Susanna Randolph.

Their daughter Jane Randolph married in 1738 Peter Jefferson, and was the mother of Thomas Jefferson. There was evidently through Mrs. Randolph a relationship to an English family of Lilburn, and it would be an interesting fact for students of heredity if it should be ascertained that Jefferson had any of the blood of John Lilburn in his veins.

*David Mossom, Jr., was a son of Rev. David Mossom, of St. Peter's Parish, New Kent County, the minister who officiated at the marriage, of Washington.

†It is difficult to say exactly where the land included in this grant lay, but in the vaguely defined limits of frontier counties at the time, it is probable that it was in the present Cambell County.

The numerous grants, included in this instalment of the journals show the rapid movement of population westward and give, approximately, its limits. At this time the population, very thin it is true on the outskirts, extended from the Potomac to the James quite up to the foot of the Blue Ridge. From the James the boundary seems to have been, approximately, along the western lines of the present Campbell, Charlotte and Mecklenburg Counties. There were doubtless "camps" and squatters farther west, and perhaps a few actual settlers. In the Valley a long thin line of settlers, principally Germans, extended from the Potomac to the present Harrisonburg, and the Scotch-Irish were coming to Beverley Manor and Borden's Grant, in the present Augusta

Henry Chiles, Alex'r Tynson, James Walker & Joseph Walker ten thousand Acres in Brunswick & Amelia Counties on the head of falling River to begin at the said Tynsons Camp.

To Chr. Clark & Charles Lynch three thousand Acres on Towtea Creek joining on Maj'r John Bolling's line to extend Northward towards Hardaway River.

To John Pleasants ten thousand Acres on the head branches of Appamattock River in Amelia & Goochland Counties joining to an Entry already entered for with the Surveyor of Amelia County & to have an inclusive Patent for the whole.

To John Ganaway four thousand Acres beginning at a white Oak on Vaughns Creek in Amelia County mark'd I G thence up the said Creek & over the Ridge to the branches of Cubb Creek.

To Philip Thurmer one thousand Acres on Phills Creek including one hundred Acres already patented by him & to have an inclusive Patent for the whole in Goochland County.

To Henry Childs eighteen hundred Acres lying on Appamattock River in Goochland County about two Miles above the Mountains* already laid off in several Surveys & to have an inclusive Patent for the whole.

To James Nevil two thousand Acres beginning at a great Hill about half a Mile above Elk Island† joining on the lines of Joseph Mayo, ——— Hooper, George Carrington his own line, James Daniels, Wm. Cannons & Sam'l Glovers & to have an inclusive Patent for the whole.

To Nowel Burton Sixteen hundred Acres joining four hundred Acres already patented being the Plantation where he now lives on Willis's Creek in Goochland County joining the lines of

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and Rockbridge. It will be noted that there are but few grants in the Valley in this instalment. The settlers there were buying from the grantees of the great tracts which have been previously referred to in this Magazine.

*At this time Goochland also included the present counties of Fluvanna, Albemarle, Amherst Campbell, Nelson, Buckingham, Powhatan and Cumberland. The mountains referred to were probably the South West Mountains in Albemarle.

†Elk Island in James River in the upper part of the present Goochland.

Thomas Bassett, Jacob Michaux & Joseph Dab— & to have an inclusive Patent for the whole.

To Richard Clough John Key & John Ragland Six thousand Acres in Goochland County on the South ffork of James River and Pedlar River.*

To Robert Lewis one thousand Acres on the branches of Ivey Creek† in Goochland County joining his own line & the lines of Mr. Holland & Capt. Hudgson.

To John Mayes Eight hundred Acres adjoining John Ellis's upper line running on both sides flatt Creek in Amelia County & so up the Creek for Compliment.

To Wm. Watson fifteen hundred Acres on both sides of Mallorys Creek beginning at some Marked Trees at the Mouth of a Branch thence up & down the Creek for Compliment.

To Nicholas Davies Leave to have an inclusive patent for three Tracts of Land of Sixteen thousand & eighty, two thousand & twenty & eight hundred Acres to be joined together by one hundred Acres of Land of Richard Parsons on Muddy Creek in Goochland County.

To Charles Burker two thousand Acres lying upon a branch of Sandy River‡ beginning at William Ligings line & running up the Pole branch on both sides for Compliment in Amelia County.

To William Hudson twelve hundred Acres on the head branches of a Mountain Creek joining Abraham Martins Entry at Gravilly Horse Pen in Amelia County.

Whereas notwithstanding therepeated Orders of the Government that no person not having the License of this Board should be admitted to enter for more than four hundred Acres of His Majestie lands Yet divers Persons of small Substances in Combination with the Surveyors have made seperate Entries for large quantities of Land lying contiguous to one another without such License & frequently keep the same on foot for a long time to the exclusion of other His Majesties Subjects who would take up & Cultivate the same.

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* In the present Amherst County.

† Ivy Creek in the present Albemarle

‡ Sandy River in the present Prince Edward.

And whereas all such Entries made without the Orders of the Government are illegal & void. It is therefore Ordered by the Governor by & with the advice & consent of His Majesties Council the several Surveyors within this Colony do observe as a general Rule to admit of no Entries for any greater quantity of His Majesties Lands in one or more Tracts lying contiguous to one another than four hundred Acres for any person whatsoever nor Survey any Entries already made for any greater quantity without the License of this Board for so doing as they will answer their Contempt in a matter which His Majesties Interest & the Improvement of this Colony.

Nov'r 13th, 1738.

The Governor

Mr. Com'y Blair	John Custis
Wm. Byrd	Wm. Randolph
Cole Diggs	John Custis
John Robinson	John Tayloe
John Carter	Thos. Lee, Esq'rs.

Pursuant to an Order of this Board the 26th of October last Wm. Wilkins & Thos. Short Inspectors at Maycocks Warehouse this day Reported that they had viewed and Examined upwards of sixty hhds of Tobacco brought thither from Wicocomico on the Account of John Wilson Merchant which was own'd by the Inspectors at Wicocomico to have been pass'd at that Warehouse & that they had brought Samples of several hhds thereof which they produced at this Board & it appearing that the said Tobacco is very bad & unfit to have been pass'd, It is therefore the opinion of the Council & accordingly Ordered that the said Inspectors at Wicomico for neglect of their duty in the passing the said Tobo. be & are hereby removed from acting any longer in the Office of Inspectors.

Novemb'r the 17th, 1738.

PRESENT:

The Governor

Mr. Comissary Blair	John Grymes

Wm. Byrd	Wm. Randolph
Cole Digges	Jno. Tayloe
Jno. Robinson	Philip Lightfoot
Jno. Carter	Thos. Lee, Esq'rs.

On reading the peticon of Jno. Tennant and hearing the Testimony of ———

November the 18th, 1738.

PRESENT:

The Governor:

Mr. Comissary Blair	John Grymes
Wm. Byrd	Wm. Randolph
Cole Digges	Jno. Tayloe
Jno. Robinson	Philip Lightfoot
John Carter	Thos. Lee, Esqr's.

Ordered That Elias [Ellis] Gill & Rostan Bates be appointed Inspectors at Wicocomico in the room of the former Inspectors who for misbehaving themselves in their Office were removed.

November 23d, 1738.

PRESENT:

The Governor

Mr. Com'y Blair	John Grymes
Wm. Byrd	John Custis
Cole Digges	Wm. Randolph
John Robinson	John Tayloe &
Jno Carter	Thos. Lee, Esq'rs.

On hearing this day at the Board the Petition of Samuel Tscheffely* praying a grant for twenty thousand Acres of land on some of the Main branches of James River next adjoining to the Lands already granted for the settlement of divers ffamilies of Swiss and German Protestants which he proposes to import in or to make provision for a larger Number, It is Ordered

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* There is no record of this grant in the Land Books. There is however in the records incidental mention of Tscheffeley. The name is that of a distinguished Bernese family.

that leave be granted the Petitioner to enter for twenty thousand Acres of Land not already granted on any of the branches of James River & that he have a patent for the same upon his bringing in to this Colony within two Years from this date one person for each fifty Acres otherwise to pay Rights for the same as usual.

And it is further Ordered that after the Petitioner has chosen the said quantity of Land no other person presume to enter for the same until the Expiration of the said two Years, but in case the Petitioner shall not import in that time the full number of persons intended or purchase Rights for the Surplus then his Grant to be void.

November 27th, 1738.

PRESENT:

The Governor

Mr. Comissary Blair	John Custis
Wm. Byrd	Wm. Randolph
John Robinson	John Tayloe
John Carter	Philip Lightfoot &
John Grymes	Thomas Lee, Esq'rs.

Mr. John Mercer* Attorney at Law making humble suit to

*John Mercer, distinguished lawyer and author of the well-known Abridgment of the Laws of Virginia. He was son of John and Grace (Fenton) Mercer, of Dublin, was born in Church street, in that city on February 6, 1704, was educated at Trinity College, and, coming to Virginia, settled at Marlborough in Stafford county, one of the towns which had been authorized by the Assembly, but which had never prospered. Mr. Mercer was an active and energetic man of business, and soon bought up the vacant lots which constituted most of the town, secured long leases for several adjoining plantations, and made improvements, stated in a deed dated 1755, to the amount of £5,000. He is best known by his Abridgment, which was the first digested code printed in Virginia. Editions were published at Williamsburg in 1737, and at Glasgow, Scotland, in 1759. In the *Virginia Gazette*, April 27–May 4, 1739, is advertised as just ready for the press: "A Continuation of the Abridgment of the Public Acts of Assembly of Virginia. By John Mercer, Gent. Containing the Acts of the last Session of Assembly, and such Precedents as were omitted in the former Abirdgment. With Directions for the better understanding of the several

this Board to be restored to the liberty of practising at Prince William County Court in consideration of his having much bus-

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Tables, and for altering such Clauses of the former Acts as are repealed or in any way interfere with the Laws of the last Session" The same paper of August 31–September 7, 1739, announces that this book had just been published. It is very rare, there being no copy in any library in Richmond.

John Mercer enjoyed a very extensive practice; but for a time preceding the order given in the text, had been disbarred for violent behavior in connection with a case in Prince William County Court. He died at his seat "Marlborough," which had been converted into a plantation, on October 14, 1768 The *Virginia Gazette*, (Purdie and Dixon) October 27, 1768, has the following notice of his death: "On Friday, the 14th instant, died after a short illness at his seat at Marlborough, Stafford county, aged 64, John Mercer, Esq., for many years a very eminent lawyer, and remarkable for his assiduity in his profession. He was a Gentleman greatly esteemed, and of consequence is much regretted." Rind's *Virginia Gazette* of the same date has this obituary: "On Friday, the 14th instant, died at his house in Stafford county, John Mercer, Esq., who had practised the law with great success in this colony upwards of forty years. He was a Gentleman of great natural abilities improved by an extensive knowledge, not only in his profession, but in several other branches of polite literature. He was of a humane, generous and chearful disposition; a facetious companion, a warm friend, an affectionate husband, a tender parent, and an indulgent master."

He was an active member of the Ohio Company, and in addition to large business and landed interests in Virginia, owned property in Ireland. In Westmoreland county is a deed dated June 12, 1742, from James Mercer, of Stafford county, gent., one of the sons of John Mercer, late of Dublin, Ireland, merchant, by Grace his wife, to John Mercer, of Marlborough, Stafford county, eldest son of the said John Mercer, [of Dublin] reciting a suit lately pending in the Court of Chancery of Ireland, when the said Grace Mercer, and James and John Mercer, parties to these presents, and Joseph, Mary and Jemima Mercer, the other children of the said John and Grace were plaintiffs vs. Wm. Alcock and Richard Leigh, surviving executors of Wm. Alcock, deceased, and others defendants, on hearing of which case, June 27, 1738, before the Lord Chancellor of Ireland, it was directed that upon the said plaintiffs paying to the said defendants £1,493, 2, 4, with interest, they were entitled to the redemption of the mortgaged property, viz: one holding in Kilmainham held by the said John Mercer [Sr.] by lease for 41 years from March 25, 1704; a lease of several houses in St. James street [Dublin?]; one fee farm lease of St. James street; one lease from the Poor

iness of his own to attend there & several of his former Clients requesting his Assistance in his business, It is the Opinion of

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House; one in St. James street from James Topham, and all that part of the Strand back of Lazy Hill. All interests conveyed by the deed to John Mercer (Jr.)

John Mercer possessed a large library, of which Mr. R. A. Brock has a catalogue. It consisted of 1,500 volumes, one-third of which were law books.

The family was a highly talented one and various members rendered distinguished public service. James Mercer, brother of John of "Marlborough," was a resident of Virginia before 1745, and left the colony as an officer of a company raised for the expedition against Carthagena. He returned in 1755 as captain in the 18th regiment of foot, Col. Dunbar, in the expedition against Fort Duquesne, and continued in service until his death in 1758 or 1759, when he was a major. He was unmarried. (*French and Indian War Land Bounty Records, Virginia State Land Office.*)

John Mercer, of "Marlborough," was twice married and had issue: I. George, served in the French and Indian war as a captain in the Virginia regiment in 1754, under Col. Fry and continued in service until the regiment was disbanded. In 1755 he commanded an independent company in the expedition against Fort Duquesne. He also had a company in the regiment commanded by Washington and was promoted to lieutenent-colonel of that command by Byrd, and served therein until it was disbanded (*Land Bounty Records*). He was a Burgess for Frederick county 1761–65. He went to England as an agent of the Ohio Company, but afterwards gained great unpopularity in Virginia by accepting a post as one of the collectors under the Stamp Act. He was appointed Lieutenant-Governor of North Carolina, September, 1768, and died in London, April, 1784. He married in England, August 15, 1767, a daughter of Christopher Nevell, of Lincoln, England. Among the manuscripts in the collection of this Society are several amusing letters from him at the time of his marriage, which was a runaway match. II. James, an eminent lawyer. Beginning with the session of November, 1762, he represented Hampshire county in the House of Burgesses continuously until 1775, sixteen sessions, and in all the conventions of 1775 and 1776. He was chosen a member of the general Committee of Safety, August 17, 1775, and of the Council of State in 1776; was member of Congress 1779–80; appointed a judge of the General Court November 30, 1781, and of the Court of Appeals, November 18, 1787, and was Grand Master of Masons in Virginia. He was father of the distinguished Charles Fenton Mercer (1778–1858), M. C. 1816–1840. III. John Fenton, ensign 1754, in Fry's Virginia regiment,

this Board & accordingly Ordered that the s'd Mercer be restored to his Practice in the s'd County he behaving himself with that decency towards the Justices & uprightness in his practice as becomes him but if any misdemeanor shall hereafter be proved against him that then he be Suspended from practising as an Attorney in that or any other Court in this Dominion.

On reading this day at the Board a Representation from the Inhabitants of Lancaster County complaining of the inconvenient Situation of their Court House which is inaccessable to most of the Inhabitants except by Water & that too under the disadvantage of a very bad landing And praying relief therein The Governor with the Advice of the Council was pleased to Order as it is hereby Ordered that the Justices of the said County do with all convenient speed cause a new Court House to be Erected & built in the Old ffeild where the General Musters of the Militia in that County have been usually convened & that when the same shall be so erected the Monthly Courts for the same County be thereafter held at that place.

December 13th, 1738.

PRESENT:

The Governor

Mr. Comissary Blair	Wm. Dandridge
Wm. Byrd	Jno. Custis
Jno. Robinson	Wm. Randolph

French and Indian war, lieutenant in Robt. Stewart's company of horse in the Fort Duquesne expedition, and captain in Washington's regiment. Was killed in action (*Land Bounty Records*); IV. John Francis (1759–1821) served in the Revolution as lieutenant 3d Virginia, February, 1776, wounded at Brandywine, promoted captain 1777, major and aide to General Lee, June 8, 1778, resigned October, 1779, lieutenant-colonel Virginia State cavalry in service at the battle of Guilford and elsewhere; member of Congress, 1782–85; removed to Maryland and was Governor of that State 1801–3; IV. Robert, several times in the Virginia House of Delegates; commenced in February, 1799, the publication in Fredericksburg of a Republican paper, "The Genius of Freedom," and died September 11 of that year; V. Anna married Samuel Selden, of "Salvington," Stafford county; VI. Maria, married Richard Brooke, of King William; VII. Grace Fenton, married Muscoe Garnett, of Essex.

John Mercer's armorial book-plate is well known to collectors.

John Carter	John Tayloe
John Grymes	Ph. Lightfoot &
	Thos. Lee, Esq'rs.

On the application of John Tayloe Esq'r in behalf of himself and other Adventurers in Iron Mines* praying leave to import from Maryland some of the Iron Oar of that province for the more easy fluxing of the Oar in their Mines without being obliged to pay the Port Duties or other Fees chargeable on Vessels importing Goods & Merchandize, It is accordingly Ordered that the Naval Officers of the several Districts into which any Oar shall be Imported do not require the Port duties or other ffees (except for a Permit only) for any Vessels importing Iron Oar from Maryland for the use of the Iron Works here so as such Vessels do not carry any other Goods & Merchandize.

December the 14th, 1738.

PRESENT:

Mr. Com'y Blair	John Grymes
Wm. Byrd	John Custis
Jno. Robinson	Wm. Randolph
John Carter	John Tayloe &
	Philip Lightfoot, Esq'rs.

On Consideration of a dispute between Mr. Charles Carter & Mess'rs Harmer & King Merchants touching the Right to a sum

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*In the will of John Tayloe, dated Jan. 13. 1744, he bequeaths to his son, 5,900 acres in Prince William county whereon was Neabsco furnace. The example of Governor Spotswood, 'The Tubal Cain of Virginia," was quickly followed by the establishment of other furnaces and forges There is no information available as to who were John Tayloe's associates in the Neabsco furnace He was apparently not a member of the Principio Company, all of whose members, except Augustine Washington, the father of George Washington, were Englishmen. This latter company was chiefly interested in Maryland; but operated successfully Accokeek furnace in Stafford Co., Va., which was built about 1725. In 1750, 410 tons of pig iron were sent from Accokeek to England. *The Pennsylvania Magazine of History and Biography* for 1887 contains an interesting history of the Principio Company.

of Money given to Dr. John Tennant* by the Gen'l Assembly & claimed by each party as Creditors to the said Tennent, It is the Opinion of the Council that the most equitable way is to

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*Dr. John Tennant, of Spotsylvania or Caroline County, was a prominent physician of the time. He gained considerable note by his advocacy of the virtues of the Seneca Rattle-Snake Root as a specific for many diseases; but especially for pleurisy. The *Virginia Gazette*, 1736 40, contains much matter in regard to him. He appears from a letter in the *Gazette* to have commenced the practice of medicine in Virginia about 1725, and to have made a visit to England about 1735-6. He there obtained the friendship of such distinguished physicians as Mead and Monro. These gentlemen gave him the following credentials for a doctors degree at Edinburgh:

"We whose names are underwritten, do certify, That having examined and conversed with Mr. John Tennant, and having enquired into his Character, of which he has good Testimonials from Virginia, where he has lived and practised Physick for about Ten Years; We do find him well qualified for the Degree of a Doctor in Physick, and do therefore recommend him to the Professors of the University of Edinburgh, that he may be admitted to that Degree.

Tho. Pellet, *Praese*,
R. Mead,
Ja. Monro."

Tennant appears not to have received the degree.

In 1736 he published what was probably the first work on medicine printed in Virginia. In the *Virginia Gazette*, Sept. 3–10, 1736, it is advertised as follows:

"*Just Published*,

AN ESSAY on the PLEURISY. By JOHN TENNANT. *Williamsburg:* Printed and sold by *William Parks* Price 1s. 10d. ½"

In the *Gazette*, October 1–8, 1736, in a letter dated Williamsburg, October 1, 1736, to Sir Richard Meade, M. D., giving an account of his success in the use of Rattlesnake Root in cases of gout and pleurisy. In the same paper he advertised for sale 1000 acres in Orange County. In the *Gazette* of January 30 July 7. 1738, and succeeding dates, appears a lengthy advertisement by John Tennant, giving proposals for printing by subscription "A Treatise on the Diseases of Virginia and Th Neighboring Colonies" It is not believed that this work, which would have been of great interest, was ever printed.

Tennant seems to have had enemies in Virginia, and in the *Gazette* of September 15–22, 22–29, 29-October 6, and October 6–13, was printed a long "Memorial, humbly, addressed to the learned, impartial, and

divide the Money between them if they will acquiess in such a determination.

December 19th, 1738.

PRESENT:

The Governor

Mr. Com'y Blair	John Grymes
Wm. Byrd	John Custis
John Robinson	Wm. Randolph
John Carter	John Tayloe &
	Philip Lightfoot Esq'rs.

Ordered that a new Commission issue for the County of Princes Anne.

Also a new Commission for the County of Orange with the Addition of the Persons recommended to be Justices for the said Counties respectively.

Sundry Petitions for leave to take up His Majesties Lands were read & granted as follows viz:

To Thos. Gilliam One thousand Acres in Brunswick County on both sides of Meherrin River joining to the Land of Henry Briggs.

To George Walting fifteen hundred Acres on Rattle Snake in Brunswick County.

To David Walker One thousand Acres in Prince George County joining his own land on Buck Skin Creek & bounded by the lines of Robt. Mundford & Joseph Stroud.

To Richard Jones One thousand Acres in Amelia County

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judicious World, by John Tennant, Practicioner in Medicine." In spite of opposition, probably from other physicians, Tennant's ideas in regard to the Rattlesnake Root gained popular favor, and the Assembly, which adjourned December 22d, 1738, resolved, "That the Sum of One Hundred Pounds, be paid to Mr. John Tennant, for publishing his Discovery of the Use of the Seneca Rattle-Snake Root." As is seen in the text the poor physician reaped no pecuniary benefit from this gift.

John Tennant married in Spotsylvania County (license dated June 1, 1730), Dorothy Paul, and has descendants. Dr. John Tennant, of Port Royal, Caroline Co., a distinguished physician during and after the Revolution was probably his son.

joining the Land he now lives on beginning on his lower line next the Sweet House Branch.

To Sam'l Ridgway One thousand Acres in Goochland County joining to Henry Cary Anthony Sharoon & John Pains Land on or near Willis's Creek.

To Sam'l Cobbs two thousand Acres upon Camp Creek in Amelia County.

To Edward Broadnax fourteen hundred & fourteen Acres lying on both sides Willis's Creek in Brunswick County.

To Anthony Hoggat leave to add four hundred Acres for the conveniency of building a valuable Mill to Six hundred Acres Surveyed for him & Joseph Dabbs on Appmattock River.

To Robt. Mundford two thousand Acres on Finny Wood* beginning at Mr. Ravenscrafts Corner in the County of Brunswick joining his own Survey.

To James Mundford four thousand Acres on the South side Appamattock River including the Lands he bought of Thomas Ellis Nicholas Overby, Wm. Bowen John West Richard Alley & to take up all the Waste Land joining on William Crawley & Laugh Flynn's line & to have an inclusive Patent for the whole.

To Nowel Burton Sixteen hundred Acres in Goochland County beginning on Mr. Henry Carys line on the North side Willis's Creek & extending thence to the lines of Digges & such other Courses as make up the Compliment in one or two Surveys.

To William Cannon & Wm. Radford two thousand Acres in Goochland County joining on John Bolling.

To John Bolling five thousand Acres in Brunswick County on the Branches of falling River joining to the Ridge between the said Branches of falling River and Rock Island Creek in one or more Surveys.

To Peter Jefferson two thousand Acres upon Davis's Creek beginning near the Great Pass that opens upon the Tent branch in one or more Surveys in Goochland County.

To Isham Randolph twelve thousand Acres joining to the twenty thousand Acres lately granted to Wm. Randolph John

*In the present Mecklenburg County.

Harmer & Walter King on the branches of Rock fish & Tye Rivers in one or more Surveys.

To Anne Johnson twelve hundred Acres adjoining to the Lands of Colo. Merriwether & Love Statham in Hanover County.

To Wm. Randolph, John Harmer & Walter King twenty four thousand Acres beginning at a Mountain called the Wart to Run West & North West under the blue Ridge of Mountains in one or more Surveys.

Ordered That a new Commission of the Peace issue for the County of King & Queen & that John Robinson be placed in his former Rank next to Colo. George Braxton & Mr. Humphry Hill next after Mr. Philip Roots.

Ordered that a new Commission of the Peace issue for the County of Middlesex & that Mr. Rich'd Corbin be ranked next after Mr. Ralph Wormely in the Quorum, that Mr. Mountegue be next to the Quorum & Doct'r John Mitchel* added to the said Commission.

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*Dr. John Mitchell was one of the most eminent Virginia physicians of his day. He is stated to have been born in London and to have died there in March, 1768. His Virginia home was Urbanna Middlesex county. Dr. Mitchell acquired considerable reputation by his researches in botany, and gave much valuable information on American flora to Linnaeus, who bestowed Mitchell's name on the "Mitchella repens." Among his researches in this science are "Dissertatio brevis de Principio Botanicorum et Zoologorum," dedicated to Sir Hans Sloane, and dated Virginia, 1738, and "Nova Plantarum Genera." dedicated to Peter Collinson (1741). These were afterwards collected and published (Nuremberg, 1769). Mitchell was a fellow of the Royal Society and contributed to its "Transactions" "Essay on the Causes of Different Colors of People in Different Climates," in which he argues that influence of climates and modes of life are sufficient to account for differences of color (1744), "Essay on the Preparation and Uses of Various Kinds of Potash" (1748), and "Letter Concerning the Force of Electrical Cohesion." Among his manuscript papers was one on the "Yellow Fever in Virginia in 1737-42," with correspondence with Benjamin Franklin, which was published with additional papers on this subject, by Dr Benjamin Rush in the fourth volume of the "American Medical and Philosophical Register" (1755). He is also credited with the authorship of "A Map of the British and French Dominions in

Ordered That a new Commission issue for the County of Lancaster & that Mr. Jesse Ball & Mr. Rich'd Chichester be added to the said Commission.

Luke Smith is appointed an Inspector at Shochoes Warehouse in the Room of Mr. James Cocke.

Dec'r 21st, 1738.

PRESENT:

The Governor

Mr. Com'y Blair	John Custis
Wm. Byrd	John Tayloe
John Robinson	Philip Lightfoot &
John Grymes	Thos. Lee Esq'rs.

On reading this day at the Board the Petition of divers Merchants Traders Inhabitants of the Borough of Norfolk* representing that the greatest part of their dependance & Support arises from their Trade carried on in Ships & other Vessels en-

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North America" (London, 1755); "The Contest in America between Great Britain and France" (anonymous, about 1757); and "The Present State of Great Britain and North America."

*The banks of Elizabeth River and its branches were quite thickly settled at an early period; but the history of Norfolk proper began in 1680 when the legislature passed an act directing the establishment of a town in Lower Norfolk County on Nicholas Wise's land on Elizabeth River at the entrance of the branch. It was erected into a borough by a charter dated September 15, 1736, and by the 24th Act of Assemby of August of that year (*Hening* IV, 541) the charter was confirmed. The new borough advanced rapidly in population and wealth. An account by an English traveller published in the *London Magazine* 1746 says that a great number of vessels were fitted out there for trade to the Northward and to the West Indies.

The future historians of Norfolk and its vicinity will be under a heavy debt of obligation to Edward Wilson James, of Norfolk, late a member of the Executive Committee of this Society whose recent death has been so much regretted. Mr. James for a number of years compiled, edited and published entirely at his own cost, the *Lower Norfolk County Virginia Antiquary*, and made accessible for the the first time a great mass of documents, chiefly from the records of Norfolk, and Norfolk and Princess Anne Counties. His patriotic work was a notable contribution to our history.

tirely belonging to that Town & that they are under great hardships by reason of the Residence of the Custom House Officers on the North side James River whereby they are under a necessity to employ Boats & hands to repair to Hampton to enter & clear out their Vessels & even for a single Permit to export the Commodities from one District to another & praying that a Deputy may be appointed to reside in the said Borough with power to enter & clear their Vessels & grant them Permits, It is this day Order by the Governor in Council that the Naval Officer & Collector of the lower district of James River do appoint a fitt Person to reside at the said Town of Norfolk & to grant Permits for the lading & unlading of all Ships & Vessels belonging to the said Town & to take Bonds for the duties of Liquors Imported during the present Winter Season & until further Order be given therein upon a full hearing of the Petitioners & the Officers of the said District in Council at the next General Court.

Whereas by an Act pass'd this Session of Assembly there is vested in the ffeofees of the Town of York* a small parcel of

*This old town, made forever historic by the events of the Revolution, had its origin in the early "York Plantation", whose history has been given by President Tyler in the *William and Mary Quarterley* II, 3-21. In 1691 the Assembly directed that a town be laid out on York River on Mr. Benjamin Read's land. This was the begining of Yorktown proper. In 1705 an elaborate act for ports and towns was adopted, and York was one of the places included. In 1697 (*Hening* III, 146), the County Courthouse was removed to the town, and it soon became the seat of a prosperous trade. While the town was never large its merchants did a great business, and a number of handsome fortunes were accumulated.

The traveller whose account was published in the *London Magazine* in 1746, (and which was reprinted in the *Richmond Standard* in 1878) gives the following description of the town at that time:

"Yorktown, capital of the County of that name, is situated on a rising ground, gently descending every way into a valley, and tho' but stragglingly built, yet makes no inconsiderable figure. You perceive a great air of opulence amongst the inhabitants who have (some of them) built themselves houses equal in magnificence to many of our superb ones at St James as those of Mr. Lightfoot, Nelson, &c.

"Almost every considerable man keeps an equipage, tho' they have

Land lying on the River side to be used as a common for the said Town upon payment of One hundred Pounds Current Money to Mr. Gwynn Reid which is to be raised by taxing the several Proprietors of Land in the s'd Town And whereas part of the said common hath been appropriated for Erecting a Fort & Battery for the defence of the Road & port of the said Town.

It is Ordered that the Sum of twenty pounds being proportionable to the value of the Land so appropriated be paid out of the Revenue of 2s. p hhd to the Feofies to enable them to satisfy the s'd in full satisfaction for the Land afores'd pursuant to ye s'd Act of Assembly.

Morris [Maurice] Smith is appointed an Inspector at Mantipike in the Room of James Fergusson who upon a Trial in the Gen'l Court is found unworthy to hold the said Office.

The following Petitions for leave to take up his Majesties Lands were read & granted Vizt.

To Charles Lewis One thousand Acres on Green Creek & Rock fish River already Surveyed in Goochland County.

To Chr. De Graffenreed* two thousand Acres joining his own Land in Brunswick & Amelia Countys.

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no concern about the different Colours of their Coach horses, driving frequently black, white and chestnut in the same harness. The taverns are many here and much frequented, and an unbounded, licentiousness seems to taint the morals of the young gentlemen of this place. The courthouse is the only considerable publick building, and is no unhandsome structure. The most considerable houses are brick; some handsome ones of wood—all built in the modern taste—and the lesser sort of plaster. There are some very pretty garden spots in the town; and the avenues leading to Williamsburg, Norfolk, &c., are prodigiously agreeable. The roads are, as I said before, some of the best I ever saw, and are infinitely superior to most in England.

"The country surrounding is thickly overspread with plantations, and the planters live in a manner equal to men of the best fortune; some of them being possessed of 500 or 1,000 l. a year sterling."

Yorktown's existence as a prosperous town was terminated by the seige of 1781.

*The grantee was Christopher De Graffenreidt, son of Baron Christopher De Graffenreidt of Bern, Switzerland, the founder of New Berne, N. C., and Regina Tscharner, his wife. After the failure of the North Carolina settlement Baron De Graffenreidt and his family came to Virginia. The son married Barbara Tempest Needham and his many descendants.

February the 20th, 1738.

PRESENT:

The Governor.

Mr. Com'y	J. Custis
W. Byrd	P. Lightfoot, Esq'rs.

This day Capt. ffrancis St. Clair late M'r of the Ship Oliver of Cow [Cowes] appeared before the Gov'r & Council and was exam'd touching ye loss of the said Ship and the passengers therein.

Ord'd that the goods secured be brought up to Wmsburgh and deposited here till the property can be proved.

That the persons imported who cannot prove paym't of his passage be sold.

That the Marshal be sure to receive from ye Sherif of Eliza. City the goods saved there.

That Colo. Walk receive & send up what is in Pr. Anne.

James Wood appointed Rec'r on the duty on skins & furs also of the duty on Liquors.

Pet'n of Alex'r Maurchtoon granted.

Embry's pet'n &c. for 1000 Acres land in Brunswick.

Nevil's pet'n for 1200 in Goochl'd.

On reading at this Board the humble petition of Alex'r Mant ——— a Christian Saponÿ Indian setting forth

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April 21st, 1739.

PRESENT:

The Governor.

Mr. Com'y	Jno. Grymes
W. Byrd	J. Custis
C. Digges	W. Randolph
J. Robinson	P. Lightfoot
	Thos. Lee, Esq.

His Ma'tys approbation of the Act in 1736 for confirming titles to lands in the Northern neck read and ordered to be recorded ye Sec'rys office.

A Letter from the Board of trade dat'd August last was read.

Mr. Sec'ry & Colo Tayloe Present.

On hearing this day the Compl't of Chas. Carter, Esqr & T. Turner ag't Antho. Strothers one of the Inspectors at Falmouth.

It is the opinion of the Board that both ye s'd Strothers & ye other Inspector be removed for not destroying Trash tobo. & for Strothers selling Liq'r at his office.

Ord'd that £500 worth of R^{ts} [Rights] be issued.

New Com'r for Orange County.

April 27th.

PRESENT:

The Gov'r

Mr. Com'y	Colo. Custis
C. Byrd	Colo. Randolph
Cole Digges	Colo. Tayloe
Col. Robinson	Colo. Lightfoot
Mr. Secretary	Colo. Lee
Colo. Grymes	

On hearing this day at the Board the matter in dispute between Colo. Beverley, R'd Tunstall & others, It is Ordered that the Surveyor be at liberty to receive Entrys & make Surveys within ye bounds granted to the s'd Rich'd Tunstall and also to Jno. Marton, Jno. Lewis & Ed Barradall it appearing they have not ent'd their Orders with ye Surveyors in due time.

May the 1st, 1739.

PRESENT.

The Gov'r & all ye Council except Colo. Dandridge.

On consideracon of the Acco't of P. Leheup, Esq'r for expenses in solliciting the Act confirming Titles to ye lands in ye N'n Neck Ord'd to be all'd.

The Acc't of —— Conting't Charges & ab't the Gov'rs house Exam'd & allowed.

Ord'd that Sam'l Baron be appointed to give Security for finishing ye works at point Comfort before any more money be advanced to him And that the C'lk take bond of him for the same that ye brick work be p'd at 40s. p. thousand.

(TO BE CONTINUED.)

VIRGINIA LEGISLATIVE PAPERS.

FROM ORIGINALS IN THE VIRGINIA STATE ARCHIVES.

(CONTINUED)

VIRGINIA AND PENNSYLVANIA BOUNDARY LINE DISPUTE.

Westmoreland County [Pa].

Personally appeared before me one of the Justices of the Court of Common Pleas for the said County a certain William Crew an Inhabitant of said county living at Jacobs Creek about Six miles north of the Youghiogania River who on his Solemn Oath doth say that on the seventh day October last or thereabout he this Deponent met nine or ten men armed, being acquainted with one of them who was his neighbour, viz Moses White, shook hands with him, then s'd White said he was his prisoner this Deponent asked for what, likewise Enquired what authority he had, White said he had no orders, But only Verbal orders from Col. Stephenson this Deponent said he was willing to go aledging he had always done his duty so that they could have no Legal Charge against him. White said he should be tied agreeable to their Verbal order which they did in a very severe manner and said they Intended to serve Capt. Mason so they took this Deponent to Col. Stephenson's house, Colonel Stephenson Dam'd him and tied him again as tight as he could draw the Cord and put him into his meat house and Bound Edmund Lindsay to his Back some time in the night Col. Stephenson Beat and abused this Deponent and a pen-knife and jobt it at his Eye swearing he would put out his Eye but fortunately mised by this Deponent's Dodging his head but cut his ear a little and then carried him into the Indian Country where he was tried by a Court Martial having no evidence there and sentenced to serve the Present tower of Duty, in the Virginia Militia and further saith not.

Sworn and subscribed Before me the 11th day of Nov'r 1775.

CHARLES FOREMAN.

A true copy.

WM. CALDERHEAD,* NORFOLK, VA., TO JOHN SHEDDON.

Dear John,—I wrote you by the Eliza, and then I think mentioned to you that my next would probably be the last you would receive from me for some time, owing to want of opportunity, this I believe will be the last as we shall very soon be hem'd in from having any correspondance with the other parts of this Colony—it would be in vain for me to describe the distracted situation in which we now are all over this Colony but particularly at this place. We are now reckoned enemies to American Liberty (would to God the natives would see it in the light we do, as it might save them from inevitable ruin) & are threatned with an invasion by most of the Troops now on pay here, who from report are determined to destroy at least all our Property if they do not go greater lengths, which is much dreaded. The Few Soldiery that are here with the aid of the inhabitants & two Sloops of war will by no means be able even to defend themselves & what the Consequence will be no man can say. Yesterday Lord Dunmore did proclaim Martial Law all over this Colony and has required all the Friends to his Majesty's Crown & Dignity to repair to the Royal Standard which is Erected in this County & that of Princess Anne adjoining. By this you are informed that I have comenced Soldier (and most cheerfully in this cause) indeed two days ago 23 of the Scabby Race† went as volunteers with 200 Regulars against 300 Shirt Men (The name by which the Provincials are known here) who stood two or three fires,‡ and then fled with great haste. As they were in the woods but three of them were killed & six made Prisoners—fortunately but one of our People was wounded whether this Skirmish will be attended with Good or Bad consequences we are very uncertain but are hopefull that it may deter the upland Troops from coming down upon us, so much

*The two letters from Calderhead, Sheddon and Brown were intercepted by the Revolutionary party.

†This is probably a jocular reference to the writer's own race—Scotch.

‡This refers to the skirmish at Kempsville, Princess Anne county. None of the real "shirt men," the up-country riflemen, appear to have taken part in this affair. On the American side were only Princess Anne and Norfolk county militia.

in a hast for Politics. In the inclosed Letter to my Father is covered a Small Bill of Excha., which by negotiating for him will add to the many obligations I already lay under to you excuse hast as above observed & Believe me,

Dear Sir, Your Affect. Friend

WILLIAM CALDERHEAD.

Norfolk 16th Nov'r 1775.

ROBERT SHEDDON, PORTSMOUTH, VA., TO JOHN SHEDDON.

Portsmouth, Nov. 20th, 1775.

Dear Jack,—I have yet at this date an opportunity of writting you by the Christie, Capt. James Avery which I am sorie for. I wish she had sail'd 10 days ago as I expected, for I apprehend within this few days a great many people has had their Eyes opened and will write now by this Sloop for Goods.

The Governor went this day week with a party of the Troops and some Voluntiers from Norfolk to the Great Bridge landed there and marched to Kemps, where a number of Shirt men from Princess Ann and some of Norfolk Co'y had collected to the number of 3 or 400 men who drew themselves up, and determined to wait the arrival of the Troops and give the Governor Battle. As soon as the Troops appeared the Shirt men begin to fire as far as they could see them, and kept on fireing till the Troops got pretty near them but did no damage the Troops made one fire which made the shirt men all take to the Woods—they kill'd some say 4 or 5 others 8 or 9 and took a number of prisoners amongst them Colo. Hutchings* and Anthony Lawson† who is now confined on Board the Elback—the

*Col. Joseph Hutchings, of Norfolk Borough, which he had represented in the House of Burgesses from 1761 to 1775 continuously, and in the conventions of March and July, 1775. It is worthy of note that while their men appear to have done but little credit to themselves, Colonels Hutchings and Lawson stood their ground. Joseph Hutchings was a member of an old and prominent family of that section of the colony.

† Anthony Lawson, colonel of the Princess Anne militia and a prominent citizen of that county, was born in 1732, and died February 16, 1785. When captured he was sent to East Florida; but in November, 1776,

Governor Immediately Issued his proclamation (Copy of which I enclosed Mr. Sym) declaring all Rebels that did not Immediately repair to the Kings Standard, their Negroes and Servants free that was able and willing to bear arms, since that the whole Countys of Norfolk & Princes Ann to a man has come in to the Standard which is now erected in Norfolk and taken the Oaths of Allegiance to his Majesty—a few Individuals excepted which the Governor would not allow in order to make some examples of some of the Leading men before Saturday night I think Government will have such a party here as the Shirt men dare not face there was a great many Volunteers went with the Governor and his party to Kemps, the greatest part of which has had the offer of Commissions. Amongst the rest George Blair is appointed and has accepted a Captains Commission in one of the Companys that is to be raised Immediately. I hope we shall be allowed to remain in peace and Gudeness now. John Brown who was one of the Volunteers upon the strength of being protected has begun to Load his Scho. with Staves for Jamaica, they bear a high price amongst all the West Indies Islands. I should send Pickets Sloop out immediately but I keep him to hold my goods in case of accident that I may have my property chiefly afloat—As soon as the Reg't is completed that is now raising, I shall land the whole of my goods and think them very safe in my stores again—let me beg of you to loose not a moment but be as, Expeditions as possible and bring out as many Goods in the Brig as she will hold, now is the time to strike a bold stroke depend upon it you'd never have such another to make money by dry Goods in this Country—Oznubrigs & Canvas a large q'ty course linens, checks, sheetings handf, stockings, and every necessary

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was paroled. An offer was made by the Virginia Committee of Safety to exchange two of Dunmore's Virginia colonels, Alexander Gordon and Jacob Ellegood, who had been captured by the Virginians, for Lawson and Hutchings; but there seems to have been some hitch in the arrangements, for Ellegood, at least, remained long a prisoner. The Lawson family was one of prominence in Norfolk and Princess Anne counties, and descended from Anthony Lawson, of Londonderry, Ireland, merchant, who came to Virginia about 1673. See *Lower Norfolk County Virginia Antiquary* I, 47-55.

article a large and full assortment of goods, nails &c. bring as many as you can get credit for—If Gibsons Sloop is at Glasgow, I would wish him loaded also—If you was to bring 20 M £ ster'g I am certain they could be sold of Instantly and to advantage. have them insured that in case of accident y'r creditors may be safe.

As soon as matters is a little settled here, I expect to be a Considerable remitter. I have 1300£ Sterg. from the birth [?] will be due in a few months, and the like sum from Calderhead, besides 1000 £ owing me in Norfolk and which is owing me in the Country. If we could have a meeting and any sort of payments, I expect to remit a large sum. I am afraid McKenals lost he has never been heard of since he sail'd from the W. Indies the 30th Augt. for Norfolk—the Aguther is never yet arrived. I am afraid he will be a long time detained in [Lebay].

Agie is perfectly recovered since you left us I thank God and we are all in good health—remember us all to my Mama and Sisters and all Friends.

I am Dear Jack,

Your affect Brother,
ROBERT SHEDDEN.

NORTHAMPTON COUNTY COMMITTEE TO THE GENERAL COMMITTEE OF SAFETY.

Northampton County, 25th November, 1775.

To The Committee of Safety at Williamsburg.

Gentlemen,—Fearing our dispatches to you might be intercepted we have sent an express to the general Congress* of which

*The action of the Northampton Committee here given, the reference in the Chesterfield Petition (*Ante* p. 127), and that in the Northampton Petition (*Ante* 53) are examples showing the feeling of the people of Virginia at this time to the Continental Congress.

The two Eastern Shore counties, Accomac and Northampton, were in the Revolution as in the Civil war, to a great extent cut off from the main portion of Virginia; but during each struggle the mass of their people was devotedly loyal to the State. Within a short time after the date of this action of the Northampton Committee, Virginia took measures to protect the Eastern Shore, and early in 1776 the 9th regiment, Col. Thomas Fleming, was stationed there.

the inclosed is a copy, and we hope our present alarming situation will meet your serious attention. We are much concerned to find we have been blamed by your Board for not having procured the proper supplies of amunition. We think it our duty to inform you that two vessels have been sent from this to the West Indies for that purpose and both were lost. A third sailed just before the late severe Gust, and we fear has shared the same fate. Some of our Body have also applied at Philadelphia for powder but without success, altho' the application was made to one of the Virginia Delegates, as well as to many of the Merchants in that town. We are impatient to know the result of your deliberation. I am by order and in behalf of the Committee of Northampton,

Your ob't humble Serv.,

SAMUEL S. MCCROSKEY.

NORTHAMPTON COMMITTEE OF SAFETY TO THE CONTINENTAL CONGRESS.

Gentlemen,—The following information being gathered from intercepted Letters and other authentic testimony, we beg leave to lay the same before you, and hope you will judge it deserving your most serious attention.

That Lord Dunmore on the 14th Instant with a Party of Regulars and a number of Volunteers Inhabitants of Norfolk had attacked a party of Provincials near Kemp's Landing when the latter retreated with the loss of a few men killed and taken amongst whom is Colo. Joseph Hutchings mad prisoner, that his Lordship had erected the Kings standard in Norfolk and proclaimed all slaves free who would join him and take up arms, that a number of about 200 slaves immediately joined him, and were furnished with arms, and crouding to him when the advice came from thence; that the Inhabitants of Norfolk and Princess Anne had every one appeared and taken an Oath of which the inclosed paper No. 1 is a copy in so much says the writer that "Treason had not one Abetter in the extensive County of Princess Anne" that on the 18th forty Volunteers and forty soldiers sett off to take possession of the great Bridge and that 100 men were to join them from Princess Anne, headed by Colo.

Jacob Ellegood* that Colo. Willoughby† had ordered in all the Princess Anne Militia and that the Governor was at the head of 1200 men and it was expected in a few days would have at least 2000 all determined to guard the passes to Norfolk and Princess Anne Counties.

This intelligence has exceedingly alarmed this Committee as we have reason to believe Lord Dunmore will soon pay us a visit here who we are totally unprepared at present to receive him. Our County from a Peninsula bounded on the East by the Sea and on the West by Chesapeake Bay, with a number of Rivers and navigable creeks for large Tenders, our coast 80

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*Jacob Ellegood, a member of an old and prominent Princess Anne family was one of the few Virginians belonging to families of respectability and long standing in the colony, who took the English side. He joined Dunmore as soon as hostilities began and was commissioned a colonel. Later he was captured by the Virginians and was long a prisoner. After the war he settled in Canada where several of his descendants have been men of prominence.

†Col. John Willoughby, of "Willoughby Point," Norfolk county, was the county lieutenant at the beginning of the Revolution, though then quite an old man. He was chairman of the County Committee of Safety, but on November 17th, 1775, was summoned before Dunmore, and directed to take the oath of allegiance under threat of arrest if he refused. He did, after trying to avoid it, take the oath and even wrote to the captains of militia in the county to assemble their companies in support of Dunmore. Late in 1775 he was arrested and carried to Williamsburg, where his conduct was investigated by the Convention. On January 3, 1776, that body acquitted him from blame as acting under duress. The *Virginia Gazette* of May 10, 1776, state that, in spite of the lenient treatment he had received from the Convention, Col. Willoughby had a short time before together with his son, and 60 or 70 of his negroes, again joined Dunmore, thereby, says the indignant news writer, "Making himself a vile apostate and black *traitor*." Some doubt is cast on the entire truth of this statement by the fact that on the margin of the copy of the *Gazette* (in the Virginia State Library) is written, in a contemporary hand, "A lie." The family of Willoughby had almost from the first settlement of the country, been prominent in the affairs of county and colony, and the troubles brought on by his divided affections were too great for the old man to bear, as he died in 1776. His son and other relatives remained in Virginia, and the well-known Willoughby Spit, near Norfolk, derives its name from the family. See this Magazine I, 447-459; IV, 81-85.

miles in Extent; our slaves numerous being more than double the number of whites; our Militia not exceeding four hundred men; our people with few arms and less amunition for which reason we fear few of them would attempt any resistance, and we even have reason to think that if Lord Dunmore was to demand our persons, that the people around us would deliver us up rather than be exposed to the fury of his soldiers and our slaves—A people acting upon such principles certainly deserve but little assistance from the Publick; but we beg leave to represent to you in what manner the possession of this place would effect the common cause and increase his Lordships Influence. Should his Lordship land any troops here we can have no assistance from the western shore of Virginia while the Coast is guarded by his tenders and after making himself Master of his place, he no doubt, as he has done in Princess Anne, would compel the people to take up arms, and lead them against the adjacent Counties—In the mean time the slaves would croud to his standard, and his army become formidable in numbers, and what we conceive to be most material he would have possession of near half a million of Bushels of Grain, by which means he might open Export to the West Indies and the Army at Boston. In such a situation, those who have manifested their attachments to the american cause would first be exposed to his Lordships resentment, and we fear the more numerous body of the people would stand censured by their Country and at a future Day be exposed to its Vengeance. In this critical situa tion we think it our bounden duty to inform you of our danger and the danger to which the common Interest is exposed, and to pray such immediate Assistance and direction as you in your great wisdom shall think the Importance of the case requires, to encourage the friends of America and keep the disaffected in awe.

At the last convention held in this Colony a number of minute companies were directed to be raised in this District, but have never been completed, people in general being averse to the minute service. None of our people have ever been in actual service and therefore have no officers of Experience on whom they can rely. Great pains have been taken to debauch their minds and to keep them totally pacific. Lord Dunmore's Tenders have frequently come upon our coast and have insinuated

to the fishermen and all the lower class of people, that they had nothing to fear, that no harm was intended against them, that they would never injure any other than their Committee-men and other principal people, and persuaded many by these means, that those who advised them to take up arms are their greatest Enemies, and perhaps if matters should soon come to an Extremity we should be exposed to the fury of the people, many Gentlemen here in short almost every man of considerable property is well affected to the American Cause, but many forbear openly to declare their sentiments or take an active part till they can see some force ready to assist them, afford a reasonable expectation of succeeding. In such a case we have reason to believe that some Companies of regulars might be instantly raised in these two Counties of Northampton and Accomack and that the greatest part of the Militia might be drawn into service in case of an alarm. But as matters at present stand this committee have very little authority and we should not be surprised if Exports are immediately opened to the West Indies. This the people of Norfolk have already determin'd upon, and that County affords great Quantities of Lumber. This place can and we fear may be obliged to supply them with Grain if some effectual measures are not taken to prevent it. We have in this critical and alarming state in which the general interest of America, the safety of our persons, and all others here who are well affected to the cause are so deeply interested, thought it most proper to lay this Information before your honourable Board, not only, as it is a matter of continental concern, but as troops (in case you should judge it necessary to send any here) can be drawn much quicker and with more safety from the northward than from the Western Shore of Virginia. Untill some active step is taken, this committee must silently put up with several Enormities but when they can be properly assisted or supported your honourable Board may rely upon their acting with Zeal and unanimity, and we hope if any Troops are sent such directions may be given, that it may appear that this committee possesses the confidence of your Body and have acquitted themselves in the best manner their dangerous and critical situation will admit of. His Lordship landed force, exclusive of the Norfolk and Princess Anne Volunteers and

negroes is not considerable. His naval force at present consists of four Ships from 16 to 22 Guns each, and a number of Sloops, Schooners and Boats. His small Vessels are often scattered and at a distance from the ships, and since he has attempted expeditions on shore, we learn that part of the men belonging to the Vessels are often absent from their Duty on Board, we impatiently wait the Result of your Deliberations and in the mean time we are with greatest respect.

Gentlemen Your ob't humbl. Servants,

By order of the Committee.

SAMUEL S. MCCROSKEY,* Chair.

GRIFFIN STITH, JUN'R, Clerk.

LORD DUNMORE'S OATH OF ALLEGIANCE.

[Inclosed in Above].

Whereas a set of factious men under the names of Committees Conventions and Congresses have violently and under various pretences usurped the legislative and executive powers of Government and are thereby endeavouring to overturn our Constitution and have incured the Guilt of actual Rebellion against our most gracious Sovereign, I, A. B. do therefore abjure all their Authority and solemnly promise in the presence of Almighty God to bear faith and true Allegiance to his sacred Majesty George 3d and will to the utmost of my power and ability support maintain and defend his Crown and dignity against all traiterous attempts and conspiracies whatsoever. So help me God. [1775.]

JOHN BROWN, NORFOLK, TO WM. BROWN, LONDON.

Norfolk, Virg. 21. Nov. 1775.

Dear Brother,—I have not received any of your favors since the first July. I have now the pleasure of informing you of

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* This is an example of which there are several other instances, where ministers of the Established Church took an active part on the popular side. Rev. Samuel McCroskey was rector of Hungar's Parish, Northampton, from 1774 until his death in 1803 (*Meade* I, 258).

some matterss that have happened here which I hope will be productive of restoring peace to this distracted Land. On the night of the fourteenth Lord Dunmore with one hundred & thirty of the Regulars, here commanded by Capt. Lessly, Joined by Thirty Volunteers from Norfolk (one of which I had the honor to be) marched to the great Bridge in order to dislodge a body of about Three Hundred Rebels that had taken a post there. They received infoqmation of our intention and all dispersed to the Woods; From thence we marched to the Kemps Town about a half mile from Anthony Walke's Houses. Three Hundred of the Princess Ann insurgeons were posted in a Thickett along the edge of the road for half a mile. They fired one Gun at our flanking partee & Two at our advance Guard, which gave us the alarm. This was returned with a heavee fire from the Grandeers, which instantly put the Villians to flight, we killed a few of them on the spott drove them into a a river where two of them drowned, took nineteen prisoners, with Anthony Lawson, & Joseph Hutchins Two Field officers, we arrived at Kemps in triumph where the Gov's Proclamation was Published and dispersed throughout the Country. The Kings standard was hoisted. The day after The whole Country flocked to it took Oath of Allegiance abjurring all committees & Conventions and declaring there readyness to defend his Majesty's Crown & dignity whenever called upon by his Excellency for that purpose—

We reached Norfolk the 17th where an entertainment was provided by the inhabitants for his Excellency and those under his Command, and the Standard errected before the Court House and the whole County striving who can get first to the Book, so in a short time I hope to be able to inform you threw the Vigellence and ability of Lord Dunmore that trade will be restored. I can assure you that L. Dunmore is so much admired in this part of the Country, That he might have 500 Volunteers to march with him to any part of the Country.

I have provided 100 M *Staves* for the Jam'er market for which I expect £20 p thousand from the last advices especially as shall be the first at market.

The proceeds of those will be remitted home in Bills & they will go principally consigned to Carthcart & Merrill of Kingston.

You are hereby ordered to ship by the first opportunity One Thousand pounds sterl'g Value in Linnen Goods agreeable to a list enclosed, if no opportunity offers quicke charter a Vessell of 150 Tuns for the purpose to Load for Britain Tobo. Navall stores, or Lumber agreeable to our order here in this matter fail not as they will leave a profit of one Thousand pound if they are the first here, all your orders for wheat &c. shall be Attended to. You may depend that I shall push matters with vigor as soon as peace is general restored I am

Dear Brother Your ob't Serv't,

JOHN BROWN.

Mr. William Brown, Merchant, London.

ACCOMACK COMMITTEE TO THE CONVENTION.

Accomack Committee, November 30th 1775.

To the Honorable the President & Gentlemen Delegates of the Convention of Virginia

We the Committee of Accomack County now sitting having much at heart the good and prosperity of our unhappy Country rendered so by our unnatural and unjust Procedure of our Mother County and being earnestly desirous of by all means in our Power to render ineffectual the pernicious attempts of the Tools of Ministry to enforce their long concerted scheme of Destroying American Liberty and thereby smoothing the way to introduce throughout the British Dominions the Same Despotism under which the greatest part of the Universe is held subjected, find ourselves, unhappyly oblidged to address you on our present situation assuring you at the same time that any Dangers however emminent to which we may be exposed shall never cause us to turn off our eyes from the Glorious cause in which we together with the rest of America are embarked of some of which dangers we are so sensible that it has upon consideration been our unanimous opinion that it would be unsafe, & imprudent for the Delegates of this County to attend the meet-

ing of the Convention on the first of December while our Bay is in the Possession of our enemies & swarms with their Tenders who we have every Reason to believe will be on the Watch to Seize our Delegates on their Passage; in Consequence we shall be on that account unrepresented but we hope you will be assured that we have the utmost confidence in the collected Wisdoms of the remaining part of the Colony and shall hold ourselves sacredly bound by their Ordinances.

We beg leave also to express to you that from our local Circumstances we consider ourselves as much exposed while at the same time we are almost cut off from all Possibility of succour—since while the Bay is in Possession of the Kings ships they will have it in their Power to intercept any assistance you might be Disposed to send us from the Western Shore of this Colony; And as to the Neighbouring Province of Maryland by the regulation adopted by their Provincial and the minute-men of the two adjoining Counties Somerset & Worcester from which Counties alone we could have speedy assistance when formed amount to but two Companies consisting of sixty-eight privates each exclusive of Officers.

Let us now turn our View to our internal force and we are under a necessity of informing you that altho' the County almost to a man are ready to embody themselves as a Militia yet we find insuperable Difficulties in forming our Companies of Minute-Men. Not one is yet compleated whereas the necessity is too apparent that we should have a select number of our Troops better disciplined than the Militia can possibly be in any short time: One great objection the Inhabitants have to enlist as Minute-Men Arises from the time of Encampment being such that it must unavoidably break in upon their whole years Business while they are only allowed pay for the actual time of Duty this renders them much more inclinable to enter into the regular than the Minute Service. We would therefore submit to you whether it might not be attended with more salutary Effects if a greater Number of regulars should be allowed for this District instead of the Minute Companies before Ordained which number of regulars we would submit to your Discretion.

We beg leave also to Transmit to you the Depositions of certain inhabitants of Somerset & Worcester Counties who having fled from Maryland with a certain William Bartlet Townsend on board of the Man of War at Norfolk were lately made Prisoners in this County as they were endeavoring to Effect their Return.

We must likewise inform you that notwithstanding our utmost endeavours to procure Arms and Amunition our County Magazine is still very small; We must therefore ask your Assistance in that particular if you find it Practicable by Any mode to supply us therewith.

By Order of the Committee.

SOUTHEY SIMPSON,* Chairman.

JAS. POWELL, Cl'k.

30th Nov. 1775.

* Southey Simpson was a Burgess for Accomac 1761–1775, and of the Convention of 1776.

(TO BE CONTINUED.)

NOTES FROM COUNCIL AND GENERAL COURT RECORDS.

By the late CONWAY ROBINSON, Esq.

(CONTINUED.)

At a court holden at James city the 5th of March 1640 the following order was made.

In the proceedings of the 27th of June, 1640, [In relation to the Panton case] it is said Mr. Warren affirmed in court that in the parish of York in the year 1638 there were two hundred ninety four tythable persons so that there was due to Mr. Panton ten pounds of tobacco and a bushel of corn for every tythable person pr poll which is in all 2180 pounds of tobacco and 290 bushels of corn.

[The following refers to an order against the estate of Sir John Harvey, ex-governor.]

From this judgment it may be inferred that Sir John Harvey had previously become embarrassed in his affairs. Such was the fact. At a ——— held the 17th of April, 1640, the following provision was made for Sir John and his creditors:

"That the reversion of Sir John Harvey his dwelling house at James city with the house adjoining and all the edifices thereunto belonging within the pale and of his orchard is to be sold, he enjoying the premises during life as also a parcel of land near, adjacent, lately belonging to Sir George Yeardly, Knt. All his other lands and edifices to be forthwith entirely sold for the payment of his debts. All his personal estate to be sold at the best advantage for the payment of debts as aforesaid reserving for the subsistance of the said Sir John eight cows which he is to enjoy during life, with all the increase to him and his assigns forever, he making good the principal stock as also that he shall have and enjoy for the consideration aforesaid all the increase which have or shall fall this year for the whole stock, according to the inventory as also four breeding sows forever is also the furniture of the dwelling house during his abode in the country, and in case of his departure for England that he shall have

and enjoy such furniture for his accomodation as shall be thought fit by the court Provided always that such goods and estate of Mr. Anthony Panton as Sir John Harvey hath taken into his hands and what he hath distributed to his use and other officers be delivered over unto such person as the governor and council shall appoint and there to remain untill we shall receive further order from their lordships therein."

A subsequent order of the 6th of May 1640, shews that Sir John Harvey engaged himself to the board to authorize a person who was named to make sale of his estate at York or any other part of the county of Charles river upon a particular day and to authorize another person (Mr. George Ludlow) to make sale of his estate in James city or elsewhere in Virginia upon another day named, and those persons were ordered to give an account of what they should do, And an order of the 14th of April, 1641, directed the creditors to be present upon the fifth day of the next June court that there might be a distribution of the estate among the creditors according to there several proportions.

This last order was made soon after the principal sale by Ludlow. Acting both under the order of the 6th of May, 1640, and a power of attorney from Sir John Harvey of the 22d of July, 1640, he made a conveyance on the 7th of April, 1641, unto the governor, council and burgesses for the consideration of 15,700 pounds of tobacco to be paid the first of January following of "all that capital messuage or tenement now used for a court house late in the tenure of said Sir John Harvey, Knt. situate and being within James city island in Virginia," with the old house and granary, garden and orchard, "as also one piece or plot of ground lying and being on the west side of the said capital and messuage as the same is now enclosed." At a quarter court holden at James city the 14th of April 1641 the following order was entered:

"Whereas it appeareth to the court that Sir John Harvey, Kn't, late governor did give and grant unto Robert Barrington 250 acres of land within the corporation of James city which said land as appeareth by the depositions of Peter Stafferton, Cheny Boyse and Capt'n Robert Hutchinson was laid out for the use of the governors successively and that the same hath been seated from time to time by the governor's tenants who

have always paid rent for the same to the governor or governors or planted to their use; the court hath therefore ordered that the said patent shall be void and that the orphans of the said Barrington shall have 500 acres of land allotted them in some other convenient place for satisfaction of their buildings and clearing; the same being a precedent usually made and allowed in cases of the like nature: and that the tenants seated thereon shall yield up the possession at or before the last of November next ensuing." (Id. 502.)

On the 16th of November, 1626, a deed was made from two mariners in the behalf of Daniel Gookinge of Carygoline in the county of York within the kingdom of Ireland to Richard Griffin late servant to the said Daniel Gooking resident at Elizabeth city, yeoman conveying 100 acres, being part of the land belonging to the lordship of the said Daniel Gooking situate above Newport Newes at the place called Mary's mount, yielding forever unto Gooking the rent of two shillings current english money at the feast of all saints; the deed concluding with a covenant on the part of Griffin his heirs and assigns at all times to "do suit and service to all such manor court or courts as at any time hereafter shall be kept by the said Daniel Gooking his associates or assigns within the lordship aforesaid" (Deed book in Gen'l C. Office, No 1–79.)

On the first of February, 1630, a deed was made from "Daniel Gooking of Newport Newes in Virginia, Gent. to Thomas Addison late servant to the said Daniel his father" conveying on behalf of his the said Daniel's father 50 acres of land being part of the said lordship, yielding forever to Gooking his heirs and assigns the yearly rent of one pound of tobacco at the feast day of all saints with the like covenant. Id. 80. (Gen'l c't will book No. 1, p. 79, 80, 87, 92, 93, 95, 98, 99, 101, 103.)

There are grants of letters of administration by Sir George Yardley as governor and Captain general of Virginia bearing date the 9th of September, 1st, 5th, 7th and 8th of November and 20th of December in the year 1626, and on the 24th and 26th of January following but no grants of such letters by him of earlier dates.

The first patent by Sir George Yeardly as governor bears date

the third day of February, in the second year of Charles the first. It recites that by the ordinances and constitutions made and set forth by the late company, it was ordained and appointed that such lands and tenements as should be due to any adventurers or planters of what condition or quality soever should be laid out and assigned unto them by the governor and council here, and further notes that the same power and authority is confirmed and granted by his majesty's letters patent directed to the governor and council bearing date the 14th of March, 1625. (Patents in registers office 1623 to 1643, No. 1 p 49, 50.)

On the 23d of the same month of February, he gave a commission to Thomas Flint appointing him lieutenant commander of and for the inhabitants and plantations upon both sides of Southampton river at Elizabeth city towards the head of the same and about Charles fort under captain William Tucker esquire commander in chief. (Library of congress, ch. 23, No. 217.)

Letter of 5th of April, 1627, from Sr. Geo. Yardly & council to privy council, (abt. tobacco).

Proclamation to be careful against the indians. April, 1627.

Commission to Wm. Claybourn to trade with the indians. 27 April, 1627.

Commissions to various persons to go against the indians. 18th July, 1627, 21st July, 1627.

Proclamation concerning the extent of paling in the forest. Aug't 1, 1627.

Appointm't of Harwood commander in James city. Aug't 8, 1627.

Appointm't of commander in Warwick.

" " " at Mailbacks [?]

" " " in Elizabeth city.

Commission to captain and commander of Accomack.

Order not to remove from one plantation. to another.

Concerning the keeping of hogs in island of James city.

Course pursued upon arrival of ships.

Capt'n Sam'l Matthews his commission for trading for corn.

(CONCLUDED.)

VIRGINIA COLONIAL RECORDS.

COMMISSIONS, BACON'S REBELLION, &C.

From the Virginia Manuscripts in the Library of Congress.*

WARRANT TO THE VIRGINIA COUNCIL TO ADMINISTER THE OATH TO SIR WILLIAM BERKELEY†, 1660.

Charles the Second by the grace of God King of England,

*The Virginia Manuscripts in the Library of Congress are contained in sixteen volumes, and a number of unbound broadsides, letters, &c. All of the volumes, with the possible exception of the Council Journal 1698-1700, were bought with Jefferson's library. Part of the earlier papers were in bad condition, and have been excellently repaired.

All who are interested in Virginia history, or indeed that of the Colonies in general, are under obligation to the Library of Congress for the interest taken in these old records, and for the most generous way in which students are given facilities to study them. The noble work of the Library in the publication of the Minutes of the London Company, and many other documents relating to Virginia during the era of the Company, is, next to Hening's Statutes at Large, the greatest work which has been done in publishing the sources of our history.

VIRGINIA MANUSCRIPTS IN THE LIBRARY OF CONGRESS.

1606-1680. Virginia. Miscellaneous Papers. 1 vol. F°. "Instructions Commicions Letters of Advice and Admonition and Publique Speeches, Proclamations ec."

1606-1683. Virginia, Miscellaneous Papers. 1 vol. 4°.
In main part royal orders and decrees.

1606-1692. Virginia, Miscellaneous Records. 1 vol. F°.
The so called "Bland Manuscript" to which Hening refers. The volume contains notes by Jefferson.

1619-1624. Virginia, London Company. The Records of the London Company for Virginia. 2 vols. F°.

1621-1625. Virginia, London Company. Papers and Records. 1 vol. F° unbound.
Consists in the main of correspondence between the company's representatives in Virginia and the authorities in England.

Scotland, France. and Ireland defender of the Faith &c: To our Trustie and Welbeloved ffrancis Morrison, Henry Browne, William Bernard, Thomas Pettus, Henry Perry, Edward Hill, Thomas Swann Esq'rs and Thomas Ludwell Secretary, greeting: Know yee that wee reposeing assured trust and confidence in your fidelities and good discretions, have given unto you, and by these presents doe give unto you or any three or more of you full power and authoritie to administer ye oath hereunto annexed

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1622–1627. Virginia, Council and General Court Minutes. "Orders from Feb. 1622 to Nov. 1627." 1 vol. F° unbound.

Contains also orders and papers to 1632.

1623. Virginia, General Assembly. 1 vol. 8°. "Laws and Orders concluded on by the General Assembly March the 5th 1623."

1626–1634. Virginia Legislative, Journal of Council and Assembly. 1 vol. F°.

The so-called "Edmund Randolph Manuscript" to which Hening refers.

1642–1662. Virginia Legislative. "The Laws of Virginia." 1 vol. F°.

1652–1660. Virginia Legislative Records. Minutes of the "Grand Assembly." 1 vol. 4°.

The so-called "Jefferson Manuscript" to which Hening refers.

1660–1697. Virginia, Legislative. The Acts of the General Assembly. 1 vol. F°.

1662–1702. Virginia, Legislative. The Acts of the General Assembly. 1 vol. F°.

1665–1676. Virginia, Miscellaneous. "Foreign business and Inquisitions." 1 vol. F°.

In spite of the title domestic matters predominate, a portion of the volume referring to escheats in Virginia.

1698–1700. Virginia, Executive Council Journal. 1 vol. F°.

1705. Virginia, Legislative, Acts of Assembly. 1 Vol. F°.

Contains chaps. 2-53 of second session.

1705–1711. Virginia, Legislative, Acts of Assembly. 1 vol. F°.

Contains acts in part only.

1606. Virginia Miscellaneous. Broadsides. Single letters and other manuscripts unbound and dating from 1606 on.

†Governor Berkeley's commission at the Restoration, was dated July 31, 1660, and is printed in the *Southern Literary Messenger*, XI, 3-5.

unto S'r William Berkeley Kn't Govern'r of our Colony of Virg'a Immediatelie after such time as our Commission for the execution of the said office or place of Govern'r shall be by him received, And furthermore wee doe by these presents Give and grant unto the said S'r William Berkeley full power and authoritie to administer to every of the persons aforenamed which shall be of the Councill for the government of the said Colony, And to all and everie other persons and persons w'ch hereafter shall be of the Council afores'd dureing the time of his government there, an oath for the due execution of their said places, agreeable in tenor and Substance respectively with ye same hereunto annexed: And therefore Wee Command you and every of you respectively that that you do administer and receive the oath aforesaid accordingly, And that immediately after the doeing thereof, you certifie such your doeing in this behalfe into our Chancerie of Engl'd. Witness ourselfe at Westminister the 21th day of July in the 12th yeare of our Reigne.

Barker.

You shall Well and truely according to the best of your skill knowledge, and understanding execute and performe the place, and office of Govern'r of the Colony and plantation of Virginia according to a Commission granted you by his Ma'tie under the great Seale of England bearing date XXXI: day of July in the 12th yeare of his Raigne, and in all things observe such orders directions and instructions, as from time to time you shall receive from the King or from the Lords of his Majesties privy Councill, touching or concerning the ordering and government of that plantation, and Proceed there in according to such order and directions as they from time shall Conceive fitt and direct them. Soe help you god.

To our Trustie and Well beloved ffrancis Morrisson, Henry Browne, William Bernard, Thomas Pettus, Henry Perry, Edw'd Hill, Tho:,Swann Esqr's and Thomas Ludwell Secretary, or to any three of them to administer an oath unto S'r William Berkeley Kn't Govern'r of Virg'a alsoe authorizeing S'r William Berkeley to administer an oath to every of them.

Barker.

COMMISSION TO THOMAS LUDWELL AS SECRETARY OF VIRGINIA, 1660.

Charles R.

Charles by the Grace of god King of England, Scotland, France and Ireland Defender of the faith &c. Whereas Wee are well Satisfyed of the Loyaltie of our trustie and welbeloved Thomas Ludwell of Bruton in our Countie of Somerset Gent: and noe less informed of his Abilitie in and for the execution of the place or office of Secretary of our Colony of Virg'a Our Will and pleasure is that he the said Thomas Ludwell* be and he is hereby constituted and appointed Secretary of o'r s'd Colony, To have, hold, and enjoy the s'd place or office during our pleasure, together with such ffees, Priviledges, Salary, Powers and entertainments whatsover as Were formerly enjoyed by, or granted unto Richard Kempe, or any other person exerciseing the said place, And we will and require all our Subjects inhabiting in or tradeing to our said Colony, that they acknowledge him the s'd Thomas Ludwell Secretary as afforesaid in these respects, and alsoe in the dues, and benifitts belonging unto him by virtue thereof as they will answer the contrary at there Perill. Given at our Court at Whitehall the tenth day of July 1660: in the XIIth yeare of our Raigne.

By his Majesties Comand.

William Morice.

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*Thomas Ludwell, of Bruton, Somersetshire, England, son of Thomas Ludwell, mercer, of the same place, and his wife Jane Cottington, a niece of Philip Lord Cottington, came to Virginia during the Civil Wars in England, and was long one of the foremost men of the Colony. He remained Secretary and member of the Council until his death, unmarried, in 1678. The negotiations for a new Charter conducted by him, Robert Smith, and Francis Moryson, in 1675-6 display elevated and patriotic views of colonial rights and constitutional freedom. For these negotiations see *Hening*, II, 518, 531. For the Ludwells see Lee's *Lee of Virginia*, 127-130, *Virginia Historical Magazine*, I, 174-178; VII, 357; *Wm. & Mary Quarterly*, I, 110; III, 197, VI, 58; X, 172.

Commission of Henry Norwood* as Treasurer of Virginia, 1650.

Charles R.

Charles by the Grace of God King of Engl'd Scotl'd ffrance & Irel'd defender of the faith &c, To all to whom these presents shall come Greeting, Know yee that wee in consideration of the faithfull and acceptable service, which Henry Norwood* Esq'r hath done to us and our most deare ffather of blessed memory, of our Speciall grace certaine knowledge, and meer motion have given and granted and by these presents doe give and grant for us, our heires and Successors unto Henry Norwood afores'd the office and benifit of our Treasurer of Virg'a. And by these presents ordaine and constitute the s'd Henry our Treasurer of Virg'a to gave, hold and enjoye the affores'd office of our Treasurer of Virg'a dureing our pleasure: Willing granting and by these presents ordeyning that the s'd Henry, hold, enjoy and receive, and have power and authoritie to hold enjoye & receive all such allowances, ffees, proffits and priviledges whatsoever any way belonging to the said office of Treasurer as were given or granted to the said office or to any persons heretofore possessing, or exerciseing the office afores'd in as full and ample manner and forme as William Clayborne or George Sandys Esq'rs or any others persons heretofore possessing or exercising ye said office, have, holden, enjoyed or received, or had power to hold Enjoy and receive. In witness whereof we have Caused these our Letters to be made Patents; Witness ourselfe to s[t] the 22d day of September 1650: and in the second yeare of our raigne.

Concordat Originali: Edw: Nicholas.

By the King himselfe with his owne hand.

*Colonel Henry Norwood was an officer in the Royal army during the Civil Wars, and came to Virginia in 1649. His account of the voyage has been printed in Churchill's *Voyages*, and in Forces *Tracts*, III. Berkeley sent him to Holland on a mission to Charles II in 1650, and it is believed that he never returned to Virginia, though he was long its treasurer—certainly as late as 1670. See a note on Col. Norwood, this Magazine, I, 453-454, &c.

COMMISSION OF FRANCIS MORRISON AS COMMANDER OF THF FORT AT POINT COMFORT, 1662.

Charles Rex.

Charles by the Grace of God King of England Scotland, ffrance and Ireland defender of the ffaith &c: To our Trustie and well beloved ffrancis Morrison* Esq'r Greeting: Wee reposeing expeciall trust and Confidence in yo'r Loyaltie, courage, and discreet conduct doe hereby constitute, and appoint you to be Cap't and Commander of our fforte at Point Comfort in our plantation of Virg'a To have and enjoye the s'd place & Command, with all ffees, dues, Rights, Priviledges, & advantages thereunto belonging and appertaining, in as full and ample manner to all intents and purposes, as any other person or persons heretofore did or ought to have held and enjoye the same And wee hereby require and Command all our Subjects whom it may Concerne to take due notice hereof and to owne & acknowledge you as Cap't and Commander of our said forte, and to pay you the respect due to that place and Charter. Given at our Court at Hampton Court the last day of July in the fourteenth yeare of our Raigne.

Mr. Francis Morrison to be Cap't of the fforte at Point Comfort In Virg[a].

By his Ma'ties Comand Edw'd Nicholas.

QUIETUS OF MRS. JUDITH RANDOLPH AS EXECUTRIX OF HENRY RANDOLPH, 1674.

By the Govern'r & Cap't Gen'll of Virg'a.

To all To whom these Pr'nts shall come I S'r Wm. Berkeley Kn't Govern'r &c, Send greeting &c; Whereas Mrs. Judeth Randolph, as Relict and Exec'x of mr Henry Randolph† dec'd

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*Francis Morrison, or Moryson, son of Sir Richard Moryson, of Tooley Park, Leicestershire, served in the Royal army with the rank of Major and came in 1649 to Virginia, where he was long a prominent man. See this Magazine II, 383-385.

†Henry Randolph (1623-1673), long clerk of the house of Burgesses. He was half-brother of the poet, Thomas Randolph, and uncle of William Randolph of "Turkey Island." See this Magazine, III, 261; XI, 58.

did at a Court holden at Verina for the Countie of Henrico the first day of August 1673 obtaine order for a Commission of Administration with ye will annexed, and accordingly had a Comicon given under my hand for the administration of all and singular the goods, and Chattells of the said decedents estate, And Shee the said Administratrix haveing legally proceeded therein, & Satisfyed the Creditors of the Deced't beyond Assets as hath bin made appeare before the grand Assembly, and thereupon order granted for her Quieta est: Now Know yee that I the said S'r William Berkeley Kn't Govern'r and Cap't Generall of Virg'a doe give and grant unto the said Judeth Randolph (the Adm'trix afforesaid) this her Quieta est for her peace & quiet to stand firme and valid against all and every person or persons whatsoever, that shall by virture of any debt or debts due from the Decedent claims or pretend to have Claime to all or any part of the estate of the Decedent afores'd Lawfully administred on by the said Administratrix. Given under my hand this 14th day of Octob'r 1674: A° Reg' Car' 2^{di} 26°.

Recorded 8^{br} 17th 1674.

William Berkeley.

p James Minge Cl Assm.

Commission of Nathaniel Bacon, Sr., as Auditor of Virginia, 1675.

Trustie and Welbeloved Wee greet you well. Where as wee are given to understand that Edw Diggs your late Auditor of the publique accounts for that our Colony of Virg'a being dead; you have conferred his place upon Nathaniel Bacon* Esq'r one of o'r Councell for our said Colony of Virg'a. At the humble request of the said Nathaniell Bacon, & in consideration of his good Services and abilityes, We have thought fitt to confirme that yo'r Choice and doe hereby Approve, and Confirme the same, And it is our will and pleasure that the said Nathaniel Bacon be sworne and admitted into the place or office of Auditor of the

*Nathaniel Bacon, Sr. (1620 1692) "King's Creek," York Co., Va., President of the Council and Acting-Governor 1689, son of Rev. James Bacon, Rector of Bengate, Suffolk. See this Magazine II, 125-129.

publique accounts of our said Colony of Virginia. to execute & enjoye ye same with all the ffees, Sallaryes, proffits and advantages thereunto belonging, in as full and ample manner to all intents and purposes, as the said Edward Diggs or any other p'son hath formerly executed and Enjoyed the same; And soe we bid you Farewell. Given at our Court at Whitehall the first day of May: 1675. And in the XXVII yeare of our Reigne.

By his Majesties Command
H: Coventry.

A true Coppie taken from the Records.
Test Hen Hartwell Cl: Con.

ORDER FOR CARRYING ARMS TO VIRGINIA, 1676.

Our will and pleasure is, that you receive on board our Shipp under your Command, the severall armes & ammunition hereafter mentioned, which we have ordered the Mr. Gen'll of our Ordnance to send to Virg'a for our service there, viz: four hundred Snaphance Muskets, four hundred Collers of Bandaleers two hundred Carabines, ffiftie barrels of Corne Powder, and three hundred hand granadoes, which you are to transporate to Virg'a and deliver there according to such directions as you shall receive on that behalfe, ffor which this shall be yo'r Warrant: Given at our Court at Whitehall this 28th day of September, 1676.

To S'r John Berry Kn't Comand'r of Our Shipp the Bristoll:
A true Coppy:
Sa: Wiseman.

By his Majesties Command.
Pepys.

LETTER* FROM THE COMMISSIONERS FOR SUPPRESSING BACON'S REBELLION TO THE GOVERNOR AND ASSEMBLY OF VIRGINIA, FEB. 27, 1676–7.

*This very important paper, while condemning the rebellion, substantiates many of the charges made against Governor Berkeley, and the long Assembly. A list of manuscript sources for Bacon's Rebellion, which have been printed, is appended at the end of this instalment. It is not intended to include tracts, such as "T. M's."

To the Right, Honorable the
Governour
the honorable the Councill &
the Wor[ll] the Speaker of
the house of Burgesses
This to be Communicated to the
Whole Assemblie
From his M[tles] Com[n]
For the Affaires of
Virginia

Feb: 27th 1676–7.

Most honour'd Gentlemen

Wee doe most heartily Congratulate this yo'r happy convention and returne to your late interrupted liberties, and ffreedome, from the force fury and constraint of the late wicked and Ruinous Rebellion among you, which the hand of heaven itselfe (in soe generall a defection) hath defeated and confounded, and most mercifully restor'd yo'r former peace (to a good degree) without the aid or assistance of these forces by his Majestie (at his great expence) most gratiously design'd, and sent over to your Releife & Succo'r Beseeching Almighty God of his infinite wisdome to direct Councill and assist you now at this your meeting in all your debates and consultations that they centre in the glorie of god, the Hono'r of his most Sacred Majesty, and the happy restauration, publikue good and long lasting wellfare and Resettlement of this soe miserable shatter'd and lacerated Colony That thereby you may deservedly archeive to yourselves the name and memorable Reputacon of the Healing Assemblie and that you may the more truely be Styled soe, we hope & desire that you will be very heedfull (boeth for his Majesties Satisfaction your owne, and our information) throughly to inspect and search into the Depth, and yet hidden roote & Sourse of these late Rebellious distempers, that have broke out and bin soe Contagious, and spreading over the whole Country, Which (when rightly understood and made knowne) will best direct and indicate to his Ma[lles] Royall Wisdome, and you own discretions, what apt & wholesome Laws, may be most properlie applyed not onely to prevent the like evill Consequences for the

future but alsoe so effectually to Stanch and heale the fresh and bleeding wounds these unnaturall warrs have caused among you, That there may as few and small Scarrs and markes remaine, as you in your prudent care, and tenderness, can possibly bring them to; which cannot be better effected (as wee conceive) then by well and advisedly weighing, and consulting the present distemper'd condition and constitution of the generall bodye of the people, and by treating them accordingly.

As for what is incumbent on us to declare and concerne ourselves in, we doe most heartily assure you, that according to his Ma^ties^ Royall Commission granted to us, under the greate seale of Engl^d^ and his Instructions therewith given us, we shall (pursuant to the power wee thence derive) most readily assist promote and advise you to the utmost of our understandings, and abilities. And shall conclude ourselves most happy speedily to returne home to his Ma^tie^ ffraught with those burthens, wherewith you have bin at any time oppress'd and groan'd under (the perticulars whereof are yet unknowne to his Ma^tie^) which have thus disburs'd that peace and tranquillitie, which his good Subjects here have soe long enjoyed under his Majesties happy government, w'ch you (by reason of the great and remote distance from the usuall place of his Royall residence) could not soe easily make knowne unto him, as other his Majesties Subjects, who live at a neerer distance, may; And therefore his Maj'ties Royall care and concernment for you hath bin such, as to send us his Commiconers purposely over to you, to the end his Ma'tie may be (by us) throughly informed, of your respective greivances, (which caused the distractions aforesaid) which bee they few or many, greate or less, shall be rec'd and most sincerely reported and represented by us to his most gratious Majestie whoe out of his Royall favour & Compassion, has bin pleased to promise you a fitt and Speedy Redress thereof as to his Royall wisdome shall seeme meet.

And since it hath pleased his most Sacred Maj'ty of his owne meere motion (as a matter noe less pleasing to God them emergent to his Ma'ties service) to Commend to our and yo'r care & endeavers the procuring a peace with Neighbour Indians, Wee will in noe wise be wanting, with all earnestness to presse to you the speedy prosecution hereof, and that you will joyne your ut-

most endeavors with ours that it may be a truely good and just peace, (since such a one is like onely to be most secure and lasting) And that you will please to call to minde how much you owe to the equitable policy and prudence of ye Right honorable Govern'r here present, (next under god) for yo'r preservation and beings here at this day, first by his Successful conquest next by his wise and just peace formerly made with the Indians, ye breach and violation whereof haveing bin still accompanyed with soe ill consequences; as well to yourselves in generall by interrupting the freedome, and debarring the benifitt of your owne trade and Labours, as the great detriment and loss which thereby redounds to his Ma'tie in his Revenues & Custtomes in England.

And for those inconsiderate sort of men who soe rashly & causelessly cry up a warr, and seem to wish and aime at an utter extirpacon of the Indians, (and are yett still the first that Complaine & murmer at the charge and taxes that on any just occasion attends such a warr) wee would wish such to lay their hands on their hearts & seriously to consider with themselves, whether it be not a base ingratitude, a nameless Prodigie of infatuation, and mere madness in such men as would make a breach with, or strive to destroy & extirpate those amicable Indians, who are soe farr from hurting them or us, that we must confess they are our best guards to secure us on the ffrontieres from the incursions and suddaine assaults of those other Barbarous Indians of the Continent, who can never be brought to keep a peace with us, but will still continue our implacable and mortall enimies, And the more there murders & depredations are upon us, the more earnestly it enforces this Argument for the necessity of a peace with the ffrontiere Indians. Therefore we would ffeigne endeavour to perswade these unreasonable sort of men to consider and understand their owne securitie and interest, and to sitt downe satisfyed that they can quietlie enjoye soe large & faire a portion of their possessions as now they doe, enough and more then they either will or can ever imploye or cultivate to profitt, and not still Covett & seek to deprive them of more, out of meer Itch of Luxurie rather than any reall lack of it, which shames us and makes us become a Reproach and by-word to those more Morall heathens.

To conclude this perticular we shall most earnestly exhort you and them, As you may justly hope and expect the blessing of Almighty God (who is a lover of peace and Justice) and that god should prosper this poor Countrie and your present Consultations that you endeavor to gaine and preserve a good and just peace and correspondence with your Indian Neighbours, that they may not hold up their hands and cry out against you, and call you unjust and perfidious, Least God in his Divine Justice should Againe make them spectators, of our Punishment, and lett y'm (as hee but lately did) look on, while (like Men destroy'd of reason religion, loyaltie, or humanite), wee were murdering, burning plundering and Ruining one another without remorse or consideration.

Gentlemen:

There is another thing which wee must alsoe recommend to your consideration, (i. e.) the Reduceing of the great Sallary of the members of the Assembly to such moderate rates as may render them less grevious and burthensome to ye Countrie, And this wee cannot but earnestlest offer to you for that his Ma'tie hath bin pleased to shew Himselfe soe signally concerned herein, as appeares by his Royall Proclamations & his Private instructions to us.

In order to immediate Redress whereof wee offer to you our joynt opinion as followeth.

1. That an Act of Assembly may pass for the future calling of a New Assembly to be elected and chosen every two yeares (under the quallifications, which the R't hon'bl Govern'r can declare you from his Ma'ties late instructions sent him over by us) whereby to make those of the present Assembly more ready to Comply with his Majesties Royall Commands for the Retrenching of their former salaries; Whereas by reason of their constant sitting, they receive onely and pay not, which this alterations will well remedy, and make the charge and expence equall by alternate Receipts and Payments, & consequently alleviate the present Pressure w'ch the people seem soe much concern'd in.

2. Wee are of opinion that for the future noe Salary be payd received, or continued to any member of Assembly for any longer time then he or they shall there personally sitt and shall cease

dureing the travelling time of there Comeing & returning to and from the said Assembly.

3. That from henceforth there be noe accounts or Reckonings demanded paid, or allowed for Liquors dranke by any members at Committees there.

4. That every Chairman of the severall Committees of Assembly doe for time to come draw their owne reports themselves, whereby to save the Country that great Charge of Clerks purposely imployed and paid for writeing the Same: some haveing (as wee are informed) 4000" weight of tobacco for scarce twentie Lines writeing.

5. That the people of the severall Counties for which you serve as Burgesses may noe longer complaine of the largeness of your Salaries, nor yourselves of the lessening & retrenching of the same, Wee alsoe Commend to your present care the Regulation and abatement of the excessive and unreasonable rates sett by Ordinary keepers upon all sorts of Liquors, especially in an about James-Towne at Assembly times w'ch seems to us the true reason that the Members of Assembly cannot finde there account, or be content with a Reasonable salary because of such excessive rates & prices, which the Ordinary keepers doe arbitrarily and at their owne pleasure & livertie impose upon liquors & the people. For remedy of which exorbitant abuse, we desire you will please speedily to consider of provideing such good acts and Lawes as may best Reforme and redress the same, which must as wee conceive be done by bringing downe the great Prizes, and rates of all sorts of liq'rs and setting such reasonable, and moderate rates on the same as the Retaylers may afford them att, with ffitt gaines. And y't this Lawe soe to be made, may be the more strictly inforced & observed; Wee alsoe desire you will lay such a penaltie or forfeiture upon the willfull transgressors thereof, as may keep y'm within the just bounds, and Limits to be sett and prescribed them. which wee are of opinion, will be best effected by transmitting that odious name of Informer into that more Genuine one calling Such men Conservators of the Lawe.

This course being taken, the Burgesses will easily apprehend that this will soe farr from being a Diminution of their Salary, that it will rather prove an Augmentation of it, for it is still as

ample as before then this lesser allowance shall more then suffice & serve to the same end as the larger did, by Lowering the said extravagant rates, which wasted and expended their former Salaries.

As to such other greivances as are of publique concernment, (as often as they shall come to our knowledge & examination) Wee shall prepare to transmitt them home to his Majestie for his Royall Redress; And for all others that relate onelie to the private interest of partie and partie, we shall returne such to you of the Assembly to consider of (as improp'r for our inspection) and Leave them to the Remedie of your lawes already provided, and hereafter to bee made for their just Releife therein.

Wee shall wind up all, in this one heartie wish, That you may soe unite and accord and proceed in all your enterprizes and endeavours tending to the peace and Resettlement of this distressed Country, that you may putt a timely stopp to his Ma'ties resolves of sending a farr greater force over then what is arrived already, to effect even what your owne ready confirmitie, and dutifull obedience to his Royall pleasure may and ought without it, doe, and can alone prevaile for the Recalling home of the Soldiers, that are now here, when his most Sacred Maj'ty shall finde by your due Submission, sincere Repentance, and our true reporte of the quiett & peaceable posture of affaires here, that there is noe more need of his Rigour & Justice but of his Royall grace and favour towards you.

Wee can onely add that Wee are upon all occasions most reddy to manifest ourselves for our Royall Masters, and this his Countryes Service.

Most Honour'd Friends
Your most Faithfull
Humble Servants

Herbert Jeffreys
Jno. Berry
Fran: Morrison.

From our Residence
at Swanns Pointe in
James river, this
Seaven and twentieth
day of Februa: 1676–7
in the 29th yeare of His
s'd Ma'ties Reigne, whom
God long Preserve.

THE COMMISSIONERS* TO THE HOUSE OF BURGESSES FEBRUARY 27, 1676–7.

Gentlemen

Whereas we have had brought to us certaine papers under the notion of greivances which upon our inspection, proved to be noe better then scandalous libells there being noe names nor proofes to justifye them, wee have therefore thought fitt to returne y'm (as such as wee shall do all others of the like kind for time to come) to you there Burgesses, now mett at this present Assembly, & w'th all to lett you, and them knowe that for the future wee doe expect and require, that each Countie who shall have greivances to present unto us, doe send the same sealed up and directed to us, at our place or residence at Swanns point in James river, under the hands of such as will be ready to prove, and make out to us each article therein upon their respective oaths, which any two of us his Majesties Comiconers, have full power to administer Therefore to the end that noe man may hereafter pretend ignorance, or want of information for the Right drawing of & presenting their greivances aforesaid, wee doe hereby declare, & explaine to them that we will receive noe paper of greviance from ye hands of any, but of such onely as are quallified according, as by our late declaration we have expressly (meaning those who shall best deserve his Majesties Royall pardon, and appeare most worthy of this appointment, without diminution to his Ma'ties hono'r, All which wee Leave to you their Burgesses to be the judges and Attestors of.

And wee hereby appoint Mundayes, wednesdayes, and Fridayes, for days of receiveing and examination of greivances which wee desire may be forthwith made knowne to each Coun-

* The Commissioners sent from England to suppress the rebellion in Virginia were Colonels Herbert Jeffreys, Francis Morrison and Sir John Berry. They arrived in Virginia with the forces under their command on January 29, 1677, to find the rebellion suppressed. As Jamestown had been destroyed they resided and held their sessions at the home of Col. Thos. Swann, "Swann's Point," on James River, nearly opposite Jamestown. They called for presentation of complaints from all parts of the Colony, and many of these "grievances" have been printed in this magazine.

tie by you their Burgesses, that they may bring them accordingly:

Wee have alsoe sent you a true Coppie of the R't Hon'ble Govern'rs warrant signed with his owne hand which we desire may be forthwith published for the better expediteing, & effecting what is thereby declared and required, and that there be noe longer delay, or backwardings in this weighty affaire, whereof his Ma'tie expects our speedy account, A vessell of advice waiting yo'r motion for her dispatch to England, we have noe more at present but Remaine.

Your Friends to serve you,

Herbert Jeffreys
John Berry
Francis Morrison.

Swanns Point Feb. 27th 1676–7.

THE GENERAL ASSEMBLY TO THE KING, APRIL 2, 1677.

May it please Your Most Exc't Ma'tie.

Wee yo'r most Loyall Subjects the Councill and Burgesses of yo'r Majesties Colony of Virg'a on our Bendedknees implore yo'r Ma'tie to accept of our Sincere and hearty thanks, as for your Royall favours from time to time Confferred upon this Country, soe more especially for your Royall pardon to our last June Assembly, & your Royall proclamation of grace and mercy to all the miserable seduced Commonaltie of Virg'a and most of all for the vast expences your Majestie hath bin pleased to disburse for the Assistance of your Majesties well affected Subjects, & Servants here, whome noe dangers, nor losses could terriffie from their Allegiance, The truth of which (although wee are well assured yo'r Ma'tie hath goodness more abundance then wee can or dare make faults) yett since of late by reason of those frequent violations of your Royall authoritie established in these parts under the Right hono'ble the Govern'r & Majestracie thereof may be Lyable to question, Wee must humbly begg leave to offer to your Princely consideration, which may in some Measure justifye us ffew from the generall imputation, who have bin tryed by fire, and did not our povertie hinder (god and our hearts being witnesses) in Respect of our Loyaltie

appeare true gold. In order to which your Ma'ties Royall favour. Wee doe represent that your Majesties faithfull Govern'r S'r William Berkeley to demonstrate to the world how much more he tendered yo'r Ma'ties hon'r then his owne life, in presence of all the Councill and severall of the most eminent Burgesses of this Colony did refuse the Peticon of the whole house of Burgesses, requesting an unlimited Commicon to be Signed for that grand Rebell Nathaniell Bacon Jun'r with this Protestation that he would suffer the severest death deviseable, rather then consent to an action of soe pernicious consequences, till such time as the whole Councill did present him with a supplication to the same effect attested by their severall hands upon which conceiveing that opposition to soe earnest a desire of the Representatives of the whole Country with the Counsell your Sacred Ma'tie had been pleased to appoint him, together with the reasons moveing them to it, being to save the effusion of the blood of soe many your Majesties Loyall Subjects, then apparently & violently threatned by an Atheisticall General & infatuated Soldiery, would possible have rendered him inexcuseable to yo'r Maj'ty with the greatest Regrett immaginable, he at last signed that power by w'ch this informable Colony for a long time had hardly breath enough left to make her groanings Audible. Further Wee prostrate ourselves to ye same Royall goodness for Leave to offer, that though the Generallitie of this Country after the Death of that Notorious Rebell Nath Bacon Jun'r (out of the sence of their Almost unpardonable villanies) through the infinite mercy of god whose hand was pleased to Correct us, yet as it manifestly appeares, without designe to confound us, And by the unwcaryed paines & prudent managem't of the R't Hon'ble yo'r Majesties Govern'r returned to their duty & Allegiance to your Ma'tie before your Ma'ties fforces (more earnestly long'd for by us then a Repreive by a Dyeing man) design'd for the reduceing of this Country were arived: Yet can we never suffitiently pay our thanks for that Signall act of favo'r whereby the Commonaltie of this Colony (prepossessed by that grand Rebell that your Majestie well approved his proceedings, and if your Majestie did condiscend sow low as to cast away a Royall thought upon soe Contemptable a place, it would onely be in favour of him, and for his

Assistance) are disabused, and now made highly sensible that yo'r Sacred Majestie hath espoused all the injuryes offer'd yo'r Majesties Authority here as if they had bin done to your Royall Selfe, which we hope will be a great meane for the future to prevent all Treasons and Rebellions.

To this with your Majesties Royall Leave Wee add humble and hearty desires of pardon for these our unpollisht addresses which can have noe other end, but upon our knees to supplicate your Majestie after the example of the King of Kings whoe would have spared a whole Cittie for the sake of ten Righteous persons, for soe many hundred whoe have bin boeth active and passive in your Majesties cause, and your Ma'tie hath already pardoned the whole Country (except whom your Ma'tie and the Govern'r hath excepted) for which we owe our never dyeing thanks soe to receive us & them to your wonted Royall ffavour.

The Almighty God prosper yo'r Royall Maj'tie in all peace prosperity, & length of dayes, lett yo'r enimyes be cloath'd with shame & confusion, but upon your owne head lett the Crowne flourish, till it shall please God for a reward of your Princely graces to call your Majestie to change it for an incorruptible Crowne of glorie.

Your Ma'ties Most Thankfull most humble, & most obedient Subjects & Serv'ts ffor & on behalfe of the Councill.

Phillip Ludwell, Dep'ty Sec.

Signed by order of the house,

Augustine Warner, Speak'r.

ffrom the Assembly at Green Spring, James River. Dated the 2d of Aprill 1677.

THE GENERAL ASSEMBLY TO THE DUKE OF YORK* APRIL 2ND, 1677.

May it Please Yo'r Roy'll Highn'ss.

The Councill and Burgesses of this lately distressed and almost ruined Colony of Virginia by a groundless Rebellion most humbly prostrate themselves at yo'r Highnesses Royall feet for

*James, Duke of York, afterwards James II, King of England. During the reign of Charles II he took an active part in the management of military affairs.

yo'r great and gratious Assistance of us the poor Remnant of his Ma'ties Loyall Subjects Signifyed unto us by the R't hon'ble the Govern'rs Lady, who has often assured us that it was by yo'r Royall Highnesses goodness, that we had soe great, and timely Assistance: For though May it please yo'r Royall Highness the Rebells were reduced to their obedience some weeks before the arrivall of his Majesties fforces, yet the certaine knowledge of this Approaching Royall Assistance soe terrifyed the Rebells that they faintly prosecuted their Rebellion, And the lesse guilty retired or Submitted to the mercy or our Prudent and good Governo'r.

Nor is this all the Benefitt that this Royall aide gives us but it will Secure us for the future, now the disloyall Sensibly feell & see that his Majestie, and yo'r Royall Highness will never be wanting to Assist your Loyall Subjects, the Contrary of w'ch was insinuated to the Rabble, and the Seduced made beleive, that it was indifferent to his Majestie who had the goverment of the Country, soe his Majestie had the Customes, But this (by us never to be forgotten) gracious assistance will (wee hope) for ever keep them from haveing such Rebellious thoughts for the future & secure the Countrey from Sedition for many ages.

The Almighty God of Heaven bless & Prosper yo'r Royall Highness with all blessings of this World & in the world to come may the ffruits of yo'r Royall goodness and Piety make you glorious to all eternitie Soe prayes

Yo'r Royall Highness's Most gratefull Most ffaithfull & Most obedient Servants For and on behalfe of the Councill,

Philip Ludwell, Dep'tie Sec:

Signed by order of Assembly.

Augustine Warner, Speaker.

From the Assembly at Green Spring James River Dat: the 2nd of Aprill 1677.

THE GENERAL ASSEMBLY TO THE DUKE OF YORK, APRIL 2, 1677.

May it Please your Royall Highness

A true and deep Sence of our owne demerrits, and his Maj'ties and your Royall Highnesses most gracious favours layed us low

at his Majesties and your Royall feet, in a Right humble acknowledgment of both, the Honnourable Coll'o Morrison haveing sollicitously sought on all occations to make us truely sensible how much wee all owe to the abundant grace, and free goodness of yo'r Royall highness towards us in passing your Royall promise that those Patents granted to the detriment & pressure of this poore Country should be called in and vacated.

A Deed soe much the more great and eminent in that Yo'r Royall Selfe is (alone) the Originall President and promoter of this great good, and Royall beneficence conferred on us, as Alsoe by the honorable Coll'o Herbert Jeffreys report to us, wee stand confirmed in your Royall Highnesses reinstance hereof to him; upon this therefore your owne Royall Pitty, and Compassion that ffreely wrought and obtained this for us wee are encouraged to hope and on our knees in all humilitie doe Supplicate yo'r Royall Highness to become our gracious and most powerfull intercessor to his most Sacred Majestie (yo'r Royall Brother) to give us his gratious Regard and acceptance of our most Sincere unfeigned Repentance for our late disloyalty, and of our due Submission and ready returne to our former duty, and obedience before his Majesties forces, designed for our Reduction arrived here.

And Soe praying (as wee are in all duty bound) that Almighty God would Crowne all yo'r Royall Enterprizes, with all glory hon'r and Success we Remaine

Yo'r Royall Highnesses Eternally obliged and Most devoted humble Supplicants and Servants.

From the Assembly at Green Spring, James Riv'r Dated the 2d Aprill 1677.

The General Assembly to Lord Arlington,* April 2, 1677.

Right Honourable:

Since the arrivall of the hon'rble Collo. Francis Morrison it

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* Henry Bennett, Earl of Arlington, a member of the famous Cabal, was granted in 1673 in partnership with Thomas, Lord Culpeper, the whole territory of Virginia for thirty-one years. Francis Morrison,

has still been his dilligent Concernment to acquaint this Country, how much wee all owe to your Lordships favour, for that your Lordshipp was noe Sooner sensible how prejuditiall the grants of lands in this Countrey was to the poore inhabitants here, but of yourselfe you nobly and Spontaniously at the very first motion threw downe and Relinquist the Right of a Royall Patent intitleing yo'r Lords'p to a propriety in certaine lands in this his Ma'ties Colony, And that as Collo. Morrison assures us with an alacrietie and profession before his Majestie and his most hon'ble Councill (more ffree to the Surrender then to the first) accepting of it.

Which is an act of soe honorable a benificence, soe peculiar soe adequate to yo'r owne hon'r and soe unworthy of us that it Surpassed Our humblest gratitude to express, especially since it was a favor unasked of us, unexpected to us, and unmerrited by us, a president of Generosity, soe Superlatively high, that it will be recorded here, (as it justly deserved) to posteritie to preserve your Lordships memory, as most precious most gratefull to us, and that yo'r Lordships name be ever hereafter mentioned but with this Appendant note of hon'r.

What can we say more, what more desire (next to yo'r Lords'ps long lasting prosperitie) then the happy Continuance of your hon'rs inestimable favours to us.

Your Lords'ps most Devoted, most humble & most gratefull Servants, on behalfe of the Councill.

Phill'p Ludwell, Dep'ty Sec'r.

Signed by ord'r of ye Ass'bly.

Augustin Warner, Speaker.

ffrom the Assembly at Green Spring, James River. Dated the 2d Aprill 1677.

Thomas Ludwell and Robert Smith were sent to England by the Colony to endeavor to secure a surrender of this grant, and succeeded in inducing the grantees to surrender all but the right to the quit rents and escheats. In spite of the obsequious address of the Assembly to Arlington, he and Culpeper only surrendered their claims to these revenues from Virginia in 1684.

General Assembly to Sir Joseph Williamson, Secretary of State (?), April 2, 1677.

Right Honourable:

Wee haveing sent our most humble & unfeigned Submission to his most Sacred Ma'tie and Letters of thanks to his Royall Highness, and the R't Hon'ble Lord Arlington, we held it wholy improper to intermix matters referring to his Majesties Royall interest, and the publique utility of this his Colony in any of the forementioned Letters, But in all humility to acquaint yo'r hon'r therewith, whose province it properly is, to present to his Ma'ty the great inconveniencyes that dayly doe, and for the future must inevitably fall upon this his Majesties Colony of Virg'a by reason of those independent governments bounding it on the North and South as will appeare by the following heads of perticulars.

1st. As to the government of Maryland, which ingrosses to it Selfe soe great and unlimited priviledges and assumes Such Ottomon Tytles, and Arbitrary Powers, as to try and Punish offend'rs in the name of the proprietor, and administering Oathes of Fealtie without any Salvo to the oath of Allegiance to the Kings Majesty.

2. That by this disunion is not only soe much land seperated from the Crowne but soe many Subjects lost to his Majestie. The inhabitants here frequently deserting this Colony, under pretence of gaineing Lands in Maryland, Soe that lands already taken up here (That might else be leased out) continue uncultivated for want of Tennants, and upon any dislike or implacency to his Majesties Royall Commands fly over to Maryland or Carolina, and reside there.

3. Our Servants and Slaves Runn away thither upon any fault Committed, Sullen humo'r & disgust of theires, and though care be taken there for their Apprehension yet the charge and trouble of sending after them, Fees, officers, and unreasonable demands of those that take them, oft exceeds the vallue of theire time of Servitude.

4. Our Debtors often escape thither, where the Lawes being different from ours, and the Charge of their Courts exceeding

high, makes the Costs and charges of Suit oftimes exceed the vallue of the Debt sued for.

5. The Indians that are soe mortally enimyes to us, are in peace and amity with them, and upon all injuries offer'd us retreate, and are Safe under the protection of their governm't.

6. The advancement of our Commodity of Tobacco is much depressed, and the prices made uncertaine, by reason (they of Maryland being under another government) wee are not capable of Regulating our trade by such Lawes and restrictions as may be able to keep them within their just bounds.

7. That the Isle of Kent in Maryland granted to, and seated, and planted by Collo. Clayborne Sen'r and formerly a Limbe, and Member of Virg'a as may appeare by our Records (they haveing sent Delegates to sitt in this Assembly) & divers other Indian proofes, and evidences which is since lopt off, and deteyned from us by the Lord Baltamore.

Lastly and cheifly (though Maryland hath bin unconcerned in this late Rebellion), yet if Maryland & Carolina had bin boeth Subordinate to the King, there had bin Little or noe need of sending forces over from England upon this late unhappy occasion, For Carolina, (which has noe River betwixt it and us, but is one broad Road) instead of being a Subterfuge to the late Rebells, Trayto'rs and Deserters of Virginia (as it hath bin, and still is) would have proved a meanes of quelling securing, and reducing them to their obedience, and might be a meanes to prevent the like for the future if those provinces were reduced under the same Lawes & immediate influence of his Ma'ties Royall power & Government. And not what we desire to have the proprietie to their Lands taken from them; All which we humbly conceive to be noe Less for his Majesties interest then for our owne Publique safetie and advantage: S'r wee are all sensible that this is noe time for us to ask any thing but pardon, yet hope your hono'r will soe some opportune time, when you will please to think fitt to move his Majestie in our behalfe that those most humble Addresses formerly sent over by our Agents may be revised by his Majestie while we endeavor by all wayes possible to deserve yo'r Hono'rs favourable Assistance, and to

Regaine his Majesties gratious and Benevolent Aspect towards us.

Your most humble and Devoted Serv'ts.

ffrom the Assembly at Green-Spring. James River April: the 2nd 1677.

THE KING TO GOVERNOR JEFFREYS, MAY 15, 1677.

His Ma'ties Letter for Confirmacon of the printed proclamation.

Charles R.

Trustie and welbeloved wee greete you well. Whereas by our Royall proclamacon bearing date at our Court at Whitehall, the 27th day of October last past in the eigth and twentyeth yeare of our Raigne, for the Supressing of a Rebellion, then lately raised within our plantation of Virg'a we were pleased amongst other things to declare that if any of our Subjects whoe have or shall have engaged with or adhered to Nathaniell Bacon the younger in the said Rebellion, should within the space of twentie dayes after the publishing of that our proclamacon, submitt himselfe to our government, and before the Governor Deputy Governor or other Commander in Cheife of our forces within our said plantation take the oath of obedience, menconed in an act of Parliament made in England in the third yeare of y'e Raigne of our Royall grandfather, and give such Securitie for the Future good behaviour, as the s'd Govern'r Deputy Governor, or other commander in Cheife should approve off, then such person, Submitting takeing such oath, and giveing such Security was by our said proclamacon pardoned & forgiven the Rebellion and treason by him Committed, and should be free from all punishments or forfeitures, for or by reason of the same, Wee are now given to understand that S'r William Berkeley Kn't Governor of our Plantacon, hath (as he pretends) according to our gratious proclamacon, and power by us given unto him published another proclamation bearing date at Green Spring in that our plantacon the 10th day of February last past in the nine and twentyeth yeare of our Raigne, whereby he declares full, free and absolute Pardon & indemnitie of life and estate to all persons inhabiting within that Colony for all

treasons &c'a Committed &c'a there since the first begining of the s'd Rebellion under Nathaniell Bacon afores'd Provided every such person should within twenty dayes after the date of his proclamacon repaire to one of our Justices of the peace there, and take the oath of obedience above menconed. But yet with an exception and exclusion from Pardon of divers and sundry persons in his said proclamation named, for which he hath noe ground or authoritie from our foresaid proclamation, the same being free, and without exception of any person, besides the s'd Nathaniell Bacon who should submitt themselves according to the teno'r of the said proclamation: In regard therefore the Governors Proclamacon is soe different from ours,* and soe derogatory to our princely clemency towards all our Subjects, which have any true sence of their loyalty or can by any meanes be reduced to it, and for other reasons us thereunto moveing, Wee have thought fitt to abrogate, and revoake, and doe hereby abrogate & revoake the said Proclamation of the tenth day of ffebruary last, issued by S'r William Berkeley Governor of that our plantacon as afforesaid, And doe hereby require & authorize you to acquaint our Subjects there with this our Royall will and pleasure hereby declared, that the Governors said proclamation is, and shall be Deemed of no vallidity and that our owne proclamacon of the seaven and twentyeth day of October last past shall be punctually obeyed & observed in all points, the Governors said proclamation, or any thing therein to the contrary notwithstanding: ffor the doeing whereof this shall be your Warrant, And soe we bid you farewell. Given at our Court at Whitehall the 15th day of May. 1677 in the XXIXth yeare of our Reigne.

By His Ma'ties Comand

H. Coventry.

The direction is thus

To our Trusty and Welbeloved Herbert Jeffereys Esq,r L't

* Campbell in his *History of Virginia*, (p. 327,) calls attention to the injustice done the Governor, for the words of the King's proclamation of October are: "And we do by these presents give and grant full power and authority to you, our said Governor, for us and in our name to pardon, release, and forgive unto all such our subjects (other than the said Nathaniel Bacon) as you shall think fit and convenient for our service, all treasons, felonies," &c., evidently investing the Governor with discretionary powers.

Govern'r & the Councill of our Colony and Plantacon of Virginia in The West Indys.

Treaty Between Virginia and the Indians,* 1677.

Articles of Peace between the most Mighty Prince & our Dread Soveraigne Lord Charles the II by the Grace of God King of greate Brittaine France, and Ireland Defender of the

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* The tributary Indians of Virginia in 1670 were, in

		Bowmen or Hunters.
Nansemond county		45
Surrey county	Powchay-icks	30
	Weyenoakes	15
Charles City county	Men Heyricks	50
	Nottoways, two towns	90
	Appomattox	50
Henrico county	Manachees	30
	Powhites	10
New Kent county	Pamunkeys	50
	Chickahominies	60
	Mattaponeys	20
	Rappahannocks	30
	Totas-chus	40
Gloucester	Chiskoyackes	15
Rappahannock	Portobaccoes	60
	Nanzcattico, Mattehatique	50
Northumberland county	Wickacomico	70
Westmoreland county	Appomattox	10
Total		725

Campbell's *Virginia*, 268.)

After this treaty was confirmed presents were sent to the various Chiefs from England, together with various badges of authority. The Queen of Pamunkey received a red velvet cap to which was fastened a silver frontlet by chains of the same metal. After remaining long in the possession of the Pamunkeys at Indiantown, Va., it was given or sold by them between 1840 and 1850 to Mr. Morson, of Stafford county, Va., from whose heirs the frontlet was bought by the Association for the Preservation of Virginia Antiquities and is now deposited with the Virginia Historical Society. The Historical Society owns a small oval medal of rude design inscribed on one side, "Ye King of" and on the other "Patomecke." This medal was probably given soon after the treaty of 1677.

ffaith &c: And the severall Indian Kings and Queens &c Assentors and Subscribers hereunto made and Concluded at the Camp of Middle plantacon, the 29th day of May: 1677; being the day of the most happy birth & Restauration of our s'd Soveraigne Lord, and in the XXIX yeare of his said Ma'ties Reigne.

By the Right Honourable Herbert Jeffreys Esq'r Governour and Cap't Generall of his Majesties Colony of Virginia; Present the Hon'ble S'r John Berry Kn't & Francis Morrison Esq'r his most Sacred Ma'ties Commiconers appointed under the great Seale of England for the Virginia affairs, And the Hon'ble Councill of State of the said Colony.

Whereas his most Sacred Ma'tie hath of his owne Royall grace and meer motion intrusted to my care and endeavours the Renewing management and concluding a good peace with the Neighbour Indians in order whereunto with the advice and Assistance of the hon'ble S'r John Berry Kn't and Francis Morrison Esq'r I have here caused to be drawne up these ensueing Articles and Overtures for the firme grounding and sure establishment of a good and just Peace with the said Indians, and that it may be a Secure and lasting one founded upon the strong Pillars of Reciprocall Justice by confirming to them their just Rights, and by Redress of their wrongs and injuries that soe the great God who is god of peace and Lover of Justice may uphold and prosper this our mutuall League & Amity, It is hereby Concluded, consented to & mutually agreed as followeth:

I. That the Respective Indian Kings and Queens doe from henceforth acknowledge to have their imediate dependancy on, and Own all Subjection to the great King of England Our now dread Soveraigne his heires and Successors, when they pay their Tribute to the Right hon'ble his Ma'ties Govern'r for the time being.

II. That thereupon the said Indian Kings & Queens and their Subjects shall hold their lands, and have the same confirmed to them and their posterity by Patent under the Seale of this his Majesties Colony, without any fee gratuity or Reward for ye same, in such sort, and in as free and firme manner as others

his Majesties Liege Subjects, have and enjoye their Lands, and possessions, paying onely yearly for, and in Liew of a Quitrent or acknowledgement for the same three Indian Arrowes.

III. That all Indians who are in amity with us, & have not land siffitient to plant up, be upon information forthwith provided for, and land laid out, and confirmed to them as affores'd never to be disturbed therein, or taken from them, soe long as they owne keep and maintaine the due obedience & Subjection to his Majestie his Govern'r and Government; & amity & ffriend ship towards the English.

IV. Whereas by the mutuall discontents, Complaints, jealousies, and feares of English and Indians occasioned by the violent intrusions of divers English into their lands, forceing the Indians by way of Revenge, to kill the Cattle & hoggs of the English, whereby offence, and injuries being given, and done on boeth sides, the peace of this his Majesties Colony hath bin much disturbed, and the late unhappy Rebellion by this means in a great measure begunne & fomented which hath involved this Country into soe much Ruine, & misery, for prevention of which injuries and evill consequences as much as possible we may for time to come it is hereby concluded and enacted that noe English, shall seate or plant nearer then three miles of any Indian towne, and whosoever hath made or shall make any encroachment upon their Lands shall be removed from thence and proceeded against as by the former peace made when the Honourable Francis Morrison was Govern'r and the act of Assembly grounded thereupon is provided & enacted.

V. That the said Indians be well Secured & defended in theire persons goods and properties against all hurts and injuries of the English, and that upon any breach or violation hereof, that the aggreived Indians doe in the first place repaire and adress themselves to the Govern'r Acquainting him therew'th without rashly and suddainly betakeing themselves to any hostile course for Satisfaction who will inflict such punishment on the wilfull infringers hereof, as the Lawes of England or this Country permitt, and as if such hurt or injury had bin done to any Englishman, which is but just and Reasonable they owneing

themselves to be under the Allegiance of his most Sacred Majestie.

VI. That noe Indian King or Queen be imprisoned without a Speciall Warrant from his Ma'ties Govern'r & two of ye Councill, and that noe other Indian be imprisoned without a warrant from a Justice of peace, upon Suffitient cause of Committment.

VII. That the said Indians have and enjoy theire wonted conveniences of Oystering, fishing, and gathering Tuccahoe, Curtenemmons, wild oats, rushes, Puckoone, or any thing else for their natural Support not usefull to the English, upon the English Devidends, Alwayes provided they first repaire to some publique Majestrate of good Repute & informe him of their number and business, whoe shall not refuse them a certificate upon this, any other Lawfull occasion, soe that they make due returne thereof when they come back and goe directly home about their business without wearing or carrying any manner of weapon, or lodging under any Englishman's dwelling house on night.

VIII. That noe fforreigne Indian be suffered to come to any Englishman's plantacon without a friendly Neighbour Indian in his Company with such Certificate as aforesaid, And noe Indian King to refuse to send a safe Conduct with the fforraigner upon any Lawfull occasion of his Comeing in And that noe Indian doe paint or disguise themselves when they come in.

IX. That all Indian Kings, and Queens tributary to the English haveing notice of any march of strange Indians neer the English quarters or plantacons doe forthwith repaire to some of the next officers of the militia, and acquaint him of their nation number and designe, and which way they bend their Course.

X. That if necessary a convenient party be presently sent out by the next Collo. of the Militia to aide strengthen and joyne, with our Friendly Indians, against any fforreigne Attempt, incursion, or depredacon upon the Indian townes.

XI. That every Indian fitt to beare armes of the neighbouring Nations in peace with us, have such quantity of powder and

shott allotted him as the R't Hon'le the Govern'r shall think fitt on any occasion, and that such members of them be ready to goe out with our forces upon any march against the enemy and to Receive such pay for their good services, as shall be thought fitt.

XII. That each Indian King, and Queen have equall power to govern their owne people and none to have greater power then other, except the Queen of Pomunky:* to whom severall scattered Indians doe now againe owne their antient Subjection, and are agreed to come in and plant themselves under power and government, whoe with her are alsoe hereby included into this present League and treatie of peace, & are to keep, and observe the same towards the said Queen in all things as her Subjects, as well as towards the English.

XIII. That noe persons whatsoever shall entertaine or keep any Neighbor Indian as Servant or otherwise, but by licence of ye Govern'r and to be upon obligation answerable for all Injuries and damages by him of them happening to be done upon any English.

XIV. That noe English harbour or entertaine any vagrant or Runnaway Indian, but convey him home by way of pass from Justice to Justice to his owne towne under penalty of paying soe much per day for harbouring him as by the Lawe for entertaining Runnawayes is Recoverable.

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* The Queen of Pamunkey was the representative of the Chiefs of the Powhatan group of tribes. Her husband Tottopottomoy had been killed in the fight against the Richahecrians in 1656. She was probably the successor of Nectowance, "King of the Indians," with whom a treaty was made in 1646. (*Hening*, I. 323.) In a letter dated September 20, 1683, Lord Culpeper stated that the King of the Pamunkeys and most of his Chiefmen desired to become Christians, and that he (the Governor) had promised to christen the King's children, James, Charles and Catherine. Governor Spotswood refers to a Queen of the Pamunkeys in 1711.

The Pamunkeys still retain their tribal organization, and reside on the river of that name about 21 miles east of Richmond. A study of the characteristics of this remnant of the Virginia tribes was made by Mr. John Garland Pollard, of Richmond, and published by the Bureau of Ethnology in 1894. For a note on the Virginia Indians see this Magazine, VII, 337–340.

XV. That noe Indian of those in Amity with us shall serve for any longer time then English of the like Ages should serve by act of Assembly, and shall not be sold as Slaves.

XVI. That every Indian King and Queen in the month of March every yeare with some of theire great men tender their obedience to the R't Honourable his Majesties Govern'r at the place of his residence, wherever it shall be, and then and there pay the accustomed rent of twentie beaver skinns, to the Govern'r and alsoe their quit rent aforesaid, in acknowledgment that they hold their Crownes, and Lands of the great King of England.

XVII. That due care be had and taken that those Indian Kings and Queens their great men and Attendance that come on any public business to the R't hono'ble the Governo'r Councill of Assembly may be accommodated with provisions, and housroome at the publique charge, And that noe English Subject shall abuse revile, hurt or wrong them at any time in word or deed.

XVIII. That upon discord or breach of Peace happening to arise between any of the Indians in amity with the English upon the first appearance and beginning thereof, and before they enter into any open Acts of hostility or warr one against another they shall repaire to his Majesties Governo'r by whose Justice & wisdome, it is concluded such difference shall be made up and decided, and to whose finall determination the said Indians shall Submitt and conforme themselves.

XIX. That for preventing the frequent mischeifes and mistakes occasioned by unfaithfull, & corrupt interpreters, & for the more Safetie satisfaction, and advantage both of the Indians, and English, that there be one of each nation of our neighbouring Indians, that already can or may become capable of speaking of English, admitted together with those of y'e English to be their owne interpreters.

XX. That the severall Indians concluded in this peace forthwith restore to the Respective English parents & owners, all such children servants, and horses, which they have at any time taken from them, and now remaining with them ye said Indians, or which they can make discovery of.

XXI. That the trade with the said Indians be continued, Limited, restrained, or laid open, as shall make best for ye peace and quiett of the Country, upon which affaire the Govern'r will consult with the Counsell and Assembly, and conclude thereon at their next meeting.

XXII. That it is further agreed that all Indians and English in the Province of Maryland are inclined in these Articles of peace, And that neither partie shall offend the other without breach of his Majesties peace.

The Signe of * the Queen Pomunckey on behalfe of herselfe, & the severall Indians under her Subjection.

The Signe of the King of * the Nottowayes.†

The Signe of Cap't John West * sonne to the Queen of Pamunkey.

The Signe of Peracuta King * of the Appomattux.‡

The Signe of the Queen * of Wayonoake.§

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*The stars indicate the marks made by the Chiefs. Fac similes of them are given on another page.

†At this time the Nottoways lived at Rowantee, Tonnatorah and other places near the Nottoway River. (*Virginia Magazine*, VII, 341, &c.)

‡Indiantown on the Appomattox not far above Petersburg was probably the home of this tribe at the time of the treaty. The "Queen of Appamotucke" was present at Powhatan's village when Smith was landed there a prisoner in 1608. The original seat of the Appamatuck Indians seems to have been at the present Bermuda Hundred, in Chesterfield county, on James river, whence Dale drove them about Christmas 1611. The *Relation of the Discovery*, &c., Arber's *Smith*, xlix, &c., gives account of the meeting on May 26, 1607, of the exploring party with the Queen of this tribe. The meeting evidently was at Bermuda Hundred. There was another tribe of the name residing at Appomattox, now Mattox Creek, Westmoreland county.

§After the massacre of April, 1644, the Weyanokes fled from James river to the present North Carolina. At the time of the treaty they were probably living on Nottoway river. For depositions in regard to them and reference to the Queen, see the *Virginia Magazine* VII, 249, &c., VIII, 1, &c.

The Signe of the * King of the Nanzem'd Indians.†

The marke of Pattanochus * King of the Nansaticoes‡ Nanzemunds, & Portabacchoes.

The Signe of Shurenough * King of the Manakins.§

The Signe of Mastegonoe * young King of the Sappones.

The Signe of Tachapoake * Cheife man of the Sappones.

The Signe of Vnuntsquero * Chiefe man of the Maherians.‖

The Signe of Horehonnah * next Chiefe man of the Maherians.

List of Manuscript Sources for Bacon's Rebellion Which Have Been Printed.°

Nathaniel Bacon's acknowledgement of offences, and request

† The Nansemond Indians probably then lived in Nansemond county on the Nottoway river.

‡ Nanzatico, a well known plantation in King George county on the Rappahannock, probably marks the site of the village of the tribe of the name. Portobacco, on the south side of the same river in Essex, was no doubt the home of that tribe. "Nanzemum Town" probably somewhere in the present Caroline or King George, is mentioned in patents of 1654 (*Virginia Magazine*, XIII, 309). Thus there appear to have been two tribes each bearing the names of Nansemond and Appomattox.

§ The Manakins lived on the boundary line of the present Powhatan and Chesterfield on James river. The Huguenot settlement was made at their old home.

‖ The Meherrins then lived at the mouth of the Meherrin river.

° The items of this list have not been arranged in chronological order—indeed a number of the most important papers are undated. The collections or volumes where the manuscripts may be or once could have been found are indicated by italics. In some instances the compiler did not have the means at hand which would enable him to locate the original.

It may be worth stating for some readers that the British Public Record Office is referred to as P. R. O., and that Colonial Papers and Colonial Entry Books are classes of records in that great depository.

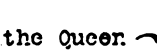
This list does not include tracts such as T. M's, "Mrs. Cotton's," &c., nor the abstracts in the English Calendar of State Papers, and the acts in Hening's Statutes at Large of Virginia. All the papers referred to are full copies.

The Signe of the Queen Pomunckey on behalfe of herselfe, & the severall Indians under her Subjection.

The Signe of the King of the Nottowayes.

The Signe of Capt John West sonne to the Queen of Pamunkey.

The Signe of Peracuta King of the Appomattux

The Signe of the Queen  of Wayonoake

The Signe of the King of the Nanzem.d Indians

The marke of Pattanochus King of the Nansaticoes Nanzemunds, & Portabacchoes.

The Signe of Shurenough King of the Manakins

The Signe of Mastegonoe young King of the Sappones.

The Signe of Tachapoake Cheife man of the Sappones

The Signe of Vmuntsquero Chiefe man of the Maherians

The Signe of Horehannah next Chiefe man of the Maherians.

THE MARKS OF THE INDIAN CHIEFS.

for pardon, June 9, 1676. *General Court "Deeds and Wills*, 1670–1677." Hening, II, 543.

A True Narrative of the Rise, Progress and Cessation of the Late Rebellion in Virginia. * * * By His Majesty's Commissioners. *P. R. O. Col. Papers*, XLI, 79. Va. Mag. Hist. & Biog. IV, 117–154.

Defence of Colonel Edward Hill *P. R. O.* Va. Mag. Hist. & Biog., III, 239–252, 341–349; IV, 1–15.

Charles City County Grievances, May 10, 1677. *P. R. O.* Va. Mag. Hist. & Biog., III, 132–160.

William Byrd's Relation of Bacon's Rebellion. Century Magazine (Edward Eggleston), Va. Mag. Hist. & Biog., V, 220.

Council and General Court Records. *Robinson Notes*. Va. Mag., VIII, 411, 412; IX, 47, 306.

Bacon's Rebellion in Surry, County Court proceedings, July 4, 1677. *Surry Records*. Wm. & Mary Quarterly, 125–126.

Bacon's Rebellion in Westmoreland County, depositions, &c., in regard to, Oct. 21, Nov. 25, 1676,&c. *Westmoreland Records*. Wm. & Mary Quarterly, II, 43–49.

Extracts from the records of Lower Norfolk County in regard to Capt. William Carver, June 15, 1675, Jan. 15, 1676. *Lower Norfolk Records*. Wm. & Mary Quarterly, III, 163–164.

Bacon's Rebellion in Isle of Wight County, entries in county records relating to, May 22, and July 14, 1677. *Isle of Wight Records*. Wm. & Mary Quarterly, IV, 111–115.

Indian War, Orders of Northumberland County Court in regard to, July 4th & 19th, and Sept. 20, 1676. *Northumberland Records*. Wm. & Mary Quarterly, VIII, 24–27.

Grievances of Cittenborne Parish, Rappahannock County, March, 1677. *P. R. O. Col. Papers*, Vol. XXIX, Nos. 62, 63, also *Col. Entry Book*, LXXXI, pp. 300–302. Va. Mag., III, 35–42.

Isle of Wight County Grievances, March, 1677. *P. R. O. Col. Papers*, Vol. XXIX, Nos. 82, 83, and *Col. Entry Bk.*, Vol. LXXXI, pp 316–319. Va. Mag., II, 390–392.

Gloucester County Grievances, March, 1677. *P. R. O. Col. Pap.*, Vol. XXIX, No. 94, and *Col. Entry Bk.* No. 81, pp. 325–327. Va. Mag. II, 166–169.

Lower Norfolk County Grievances, March, 1677. *P. R.*

O. Col. Pap., Vol. XXIX, No. 95, and *Col. Entry Bk.* No. 81, pp. 327–328. Va. Mag., II, 169–170.

Surry County Grievances, March, 1677. *P. R. O. Col. Pap.*, Vol. XXIX, Nos. 69,70, and *Col. Entry Bk.*, Vol. 81, pp. 304–307. Va. Mag. II, 170–173.

Northampton County Grievances, March 1677. *P. R. O. Col. Pap.*, Vol. XXIX, No. 74, 75, and *Col. Ent. Bk.*, Vol. 81, pp. 309–312. Va. Mag. 289–292.

A Description of the fight between the English and the Indians in May 1676. *Egerton MSS.*, 2395. Wm. & Mary Quarterly, IX, 1–4.

Letter, Philip Ludwell, Va., June 28, 1676, to Sir Joseph Williamson. *P. R. O. Col. Pap.*, Vol. XXXVII, No. 16. Va. Mag. I, 174–186.

Letters, William Sherwood, James City, June 1 and 28, 1676, to Sir Joseph Williamson. *P. R. O. Col. Papers*, Volume XXXVII, No. 1 and No. 17. Va. Mag. I, 167–174.

Letter, Virginia, June 29, 1676, from the wife of Nathaniel Bacon to her sister. *Egerton MSS*, 2325. Va. Mag., V, 219–220. Wm. & Mary Quarterly, IX, 4–5.

Mr. Bacon's Account of the Troubles in Virginia, June 18, 1676. *Egerton MSS*, 2395. Wm. & Mary Quarterly, IX,6–10.

Charter of Virginia, dated Oct. 10, 1676 (but never granted). *Bland MSS, Library of Congress and contemporary copy, Va. Historical Society.* Hening, II, 532–533; Burk's Virginia, II, lxii.

Proclamation by Charles II, Westminister, Oct. 10, 1676, granting pardon to the Governor and Assembly and other subjects in Virginia. *Pat. Roll*, 28 *Car.* II, No. 11. Hening II, 423–424.

Letter, Governor Berkeley, Nov. 29, 1676, to Major Robert Beverley. *Beverley MS.* Hening, III, 568.

General Court Proceedings, Sept. 28, 1677 (in regard to the Rebellion). *General Court Records.* Hening II, 557.

General Court Proceedings, Oct. 26, 1677. *General Court Records.* Hening II, 557–558.

Bacon's Rebellion, Depositions, Nov. 15, 1677, in regard to

Col. Thomas Swann's Conduct in. *Surry Records.* Wm. & Mary Quarterly, XI, 80–81.

Mrs. Bird's Relation, who lived Nigh Mr. Bacon in Virginia * * *. *Egerton MSS*, 2395. Wm. & Mary Quarterly IX, 10.

Proposals of Thos. Ludwell and Robert Smith, to the King, for reducing the rebels in Virginia [1676]. *P. R. O.* Va. Mag. I, 432–435.

Petition of Thomas Bacon (father of Nathaniel) to the King, June (?) 1676. *P. R. O. Col. Pap.*, Vol. XXXVII, No. 15. Va. Mag., I, 430–431.

Proceedings of Court Martial on board ship in York River, Jan. 11, 1676–77. *General Court Records.* Hening, II. 545–546.

Proceedings of Court Martial on board ship in York River, Jan. 12, 1676–7. *General Court Records.* Hening, II, 546.

Proceedings of Court Martial at Bray's house, Jan. 20, 1676–77. *General Court Records.* Hening, II, 546–547.

A True and faithful account in what condition we found your Majesty's Colony of Virginia, of our transactions, &c., signed by the Commissioners Berry and Moryson. *P. R. O. Col. Entry Bk.*, Vol. 81, pp. 423–427. Burk's Virginia, II, 253–259.

Proceedings of Court Martial at Green Spring, Jan. 24, 1676–7. *General Court Records.* Hening, II, 547–548.

Proceedings of Court Martial at Green Spring, March 3, 1676–7. *General Court Records.* Hening, II, 548–549.

Proceedings of General Court at Green Spring, March 1, 1676–7. *General Court Records.* Hening, II, 548.

Proceedings of General Court at Green Spring, March 8, 1676–7. *General Court Records.* Hening, II, 549–550.

Proceedings of General Court at Green Spring, March 9, 10, 15, 16, 17, 22, 1676–7. *General Court Records.* Hening, II, 550–556.

Nathaniel Bacon's Manifesto Concerning the present troubles in Virginia (*n. d.*). *P. R. O. Col. Papers*, Vol. XXXVII, No. 51. Va. Mag. I, 55–58.

The Declaration of the People, By Bacon. Aug. 3, 1676. *P. R. O.*, Vol. XXXVII, No. 41. Virginia Mag., I, 59–61. Mass. Hist. Soc. Collections, 4th Series, Vol. IX, 184–186.

Bacon's Appeal to the People of Accomack (*n. d.*). *P. R.*

O. Col. Entry Bk., Vol. 81, pp. 254–263. Va. Mag., I, 61–63.

Orders of the General Assembly at Session begun Feb, 26, 1676–7. *Northumberland Co. MS.* Hening, II, 401–406.

Additional instructions from the King to Governor Berkeley, Whitehall, Nov. 13, 1676. *P. R. O. Col. Entry Bk.*, Vol. 80, pp. 111–114. (In the English Cal. Col. State Papers, these instructions are dated Oct. 13; in Hening Nov. 13). Hening, II, 424–426.

Surry County, submission of Bacon's followers in, Feb. 6, 1677. *Surry Records.* Wm. & Mary Quarterly, XI, 79–80.

Testimony of Governor Berkeley in regard to Robert Beverley's services during the Rebellion, Northampton Co. November 13, 1676. *Beverley MS.* Hening, III, 567.

Letter, Governor Berkeley, Jan. 18, 1676 (7), to Robert Beverley. *Beverley MS.* Hening, III, 569.

Letter, Governor Berkeley, Jan. 21, 1676–7, to Robert Beverley. *Beverley MS.* Hening, III, 569.

The Petition of the County of Gloucester July 1676, to Sir Wm. Berkeley, and his answer. *Chalmers (Aspinwall) Papers.* Mass. Hist. Col., 4th Series, Vol. IX, 181–184.

The Declaration and Remonstrance of Sir Wm. Berkeley, May 29, 1676. *Chalmers (Aspinwall) Papers.* Mass. Hist. Col., 4th Series, Vol. IX, 178–181.

The Opinion of Council of Virginia Concerning Mr. Bacon's proceedings, May 29, 1676. *Chalmers (Aspinwall) Papers.* Mass. Hist. Col., 4th Series, Vol. IX, pp. 177–178.

Virginia's Deploured Condition. Or an Impartial Narrative of the Murders Committed by the Indians there, and the sufferings * * * under the Rebellious outrages of Mr. Nath. Bacon, Jr. * * * to the tenth day of August, 1676. *Chalmers (Aspinwall) Papers.* Mass. Hist. Col., 4th Series, Vol. IX, 162–176.

A dialogue between the Rebel Bacon and one Goode as it was presented to * * * Sir Wm. Berkeley, Governor of Virginia. *P. R. O. Col. Ent. Bk.*, lxxi. pp. 232–240.

A Review, Breviarie and Conclusion, being a Summarie account of the late rebellion in Virginia. *P. R. O. Col. Ent. Bk.*, Vol. 81, pp. 411–419. Burk's Virginia, II, 250–253.

Letter, Giles Bland, James Town, April 20, 1676, to Charles Berne (England.) Burk's Virginia, II, 245–249.

Letter, Francis Moryson, London, Nov. 28, 1677, to Thomas Ludwell. Burk's Virginia, II, 265–270.

Letter, Charles II, Oct. 22, 1677, to Governor Jeffreys. Burk's Virginia, II, 264–265.

Vindications of Sir Wm. Berkeley (1677). *Randolph MS.*, Va. Historical Society. Va. Mag. VI, 139–144. Burk's Virginia, II, 259–264.

List of persons who suffered in Bacon's Rebellion, report by the Commissioners, Oct. 15, 1677. *P. R. O. Col. Ent. Bk.*, Vol. 81, pp. 353-357.

VIRGINIA GLEANINGS IN ENGLAND.

Communicated by Mr. LOTHROP WITHINGTON, 30 Little Russell street, W. C., London (including "Gleanings" by Mr. H. F. WATERS, not before printed.)

JOHN FOXALL of Washington parish in Westmorland County. Will 10 February 1697–8; proved 31 August 1704. To Robert Volkes and Sara Elliott all my estate real and personal in the Kingdom of England in Bromingham in Warwickshire for ever. I give my Watermill to James Volkes and John Elliott junior for ever. I give my plantation at the head of Popes Creke unto Susan Cornock. To Elizabeth Volkes my plantation in Essex County. To James Volkes my horse and furniture. To Mary Elliott my Mare, and colt to Martha Elliot, and further I do appoint my loving brother Caleb Butler to be my whole and sole executor. Witnesses: Richard Cradunck, Ann Webster, Humphre Lee.

Ash, 162.

["Mr. John Foxhall" was living in Westmoreland county in 1670. There is recorded in that county, under date of 1673, a deed from the wife and attorney of John Foxhall, of Pope's Creek, Westmoreland, to her daughter Martha Foxhall. His wife and child evidently died before

him. His will was proved in Westmoreland March 30, 1678. Though John Foxhall apparently left no descendants, the name has frequently appeared as a baptismal one in the distinguished family of Parker. "Bromingham" of the will was Birmingham, and "Volkes" is intended for the old Westmoreland family of Vaulx, now extinct in the male line. Butler and Elliott were also well known Westmoreland names.]

JOHN WARNSLEY of the parish of St. Olaves Southwark, county Surrey, outer bound in the Jefferies for Virginia. Will 10 November 1694; proved 27 May 1698. Powers of attorney to William Glassbroke in the same parish and county aforesaid, Victualler, to whom I give all I possess and execution of this my last will. Witnesses: William Moore, George Hoffield, Matt Gibbes. [John Warnsley, deceased, of the ship Jefferyes, but in H. M. S. Reserve. Probate Act Book.]

Lort, 134.

EDMUND MORECROFT of Virginia, Merchant. Will 18 December 1638; proved 20 June 1639. To my sister Anne Thurmer £20. To John Thurmer the younger one heifer of three years old. To Elizabeth Thurmer, my goddaughter, one two yere old heifer. To Joan Thurmer a Bull Calfe. My sisters Elizabeth and Marie Morecrofte, executors, to enjoy all my goods whatsoever in England or Virginia, and my Brother-in-John Thurmer and Robert Hatt and Cornelius Lloyde to administer my estate here in Virginia on their behalf and also to take accompte of Mr. William Thomson what is due to me in fowerths or seuenths. To Brother in law John Thurman £30. To Robert Houlde £10. Mr. Jeremia Blackman and William Church to sell my goods in the stores. Witnesses: In Virginia: Nicholas Stallings, Richard Handson, John Webb.

Harvey, 162.

[Edmund Morecroft patented 500 acres on Chickahominy River, in James City county, about two miles up Pynie Point Creek, May 29, 1638.]

EDWARD NOTT Esquire, Lieutenant and Governor General of the Colony of Virginia, being forthwith bound thither. Will 28 Aprill 1705; proved 28 November 1706. To my niece Ann Leighton £500. To the poor of Town of Newcastle upon

Tine £20. To the poor of Richmond in Surrey £20; and, subject to the payment of the said three legacies, I give my dear sister Sussanna Leighton my seven army debentures, left by me in the custody of my kinsman Archibald Hutcheson, of the Middle Temple, London, Esquire, amounting to £2056.2s.0d. To my brother in law Colonel Nathaniel Blakiston £500, and to the said Archibald Hutcheson £50. Rest to my sister and executrix Sussanna Leighton. Witnesses: Edw: Porter, Tho: Watson, Wm Martin.

Eedes, 240.

[Edward Nott, who had been a major in the English army, came to Virginia in August, 1704, as Lieutenant Governor to the sinecure Governor, the Earl of Orkney. He is stated to have been a mild, benevolent man, and as a successor to the tempestuous Nicholson, was welcomed. For an account of his short administration see Campbell's *History of Virginia*, 375-376. He died August 26, 1706, aged 49 years. The General Assembly of Virginia erected a monument over his grave, which still remains in Bruton Church-yard, Williamsburg. See *Virginia Historical Collections*, Vol. XI, 73.]

THOMAS STARKE of London, Merchant. Will 13 January 1705-6; proved 4 March 1705-6. To my wife Sarah one full third part of my estate; if the ⅓ does not amount to £2000, then I give her all my estate in county Suffolk lying in the Hundreds, during her life, after her decease to my son John Starke for ever; if the ⅓ does amount to £2000, then said estate to go to my son immediately. Also I give her all her Jewels, pieces of gold, Gold watch, a large silver salver, a candle, Cup and Cover. To my son John Starke all my estate in Virginia, consisting of 5 plantations, £500, and the Diamond Ring I ware. To my daughter Mary Sherman £200 and all moneys she owes me. To son John after debts are paid 1-5 of my personal estate and after wife's ⅓ is deducted. To daughter Sarah Starke £300 and 1-5 of my personal estate. To my daughters Martha Starke 1-5 of my personal estate. To my daughters Francis and Elizabeth 1-5 part each of my personal estate. To my daughter Sarah a large guilt spoon and two broad gold pieces which were my aunt Dennis's. To my daughter Martha one broad gold piece which was my Aunt's. To my Daughter Francis an old Nobb Spoon. To Francis Lee and William Downer £10 each

to assist my wife and son. Executors: Wife and son. Overseers: said Francis Lee and William Downer. Witnesses: Anne Stephens, W. Ford, Jno. Hodgkin, Jeffery Bass.

Eedes.

[John Starke, merchant, of New Kent county, patented 484 acres in that county (now in King William and King and Queen) on October 30, 1686. The boundary line began at the said Starke's landing, running thence to Apostequicke Swamp, and along the land, formerly Col. Abrahall's, to the Mattapony River, &c. The land was formerly granted to Mr. Richard Barnehouse, Sr., deceased, and upon the petition of his son and heir Richard Barnehouse, Jr., for a survey, it was made by Col. John Lewis and George Morris, surveyors, in the presence of a jury, May 10, 1673, and the said 484 acres were sold by Mr. Richard Barnehouse, Jr., to Mr. John Starke, and afterwards confirmed to him upon order of the General Court in a suit depending between said Starke and Major William Wyatt, &c.

There is a power of attorney in York county, dated 1713, from Sarah Starke, widow of Thomas Starke, of London, merchant, and Frances Lee, of London, for sale of lands in King William county, formerly New Kent, belonging to John Starke, of London, now on a voyage to the East Indies. John Starke, of Hanover county, and Ann Wyatt were married May 25, 1735. It is probable that all of these people were related, as Hanover had been part of New Kent. See *William and Mary Quarterly*, V, 256, &c.]

WILLIAM HOLMES. Will not dated; proved 16 February 1648–9. This being my last will I doe give my son William Holmes £50. To my son Robert £30. If either of them should dye the other to have his share. If it should please God to take us all three out of this life, then I give my Sister Parkinson £10, my Sister Grabe £10, my Sister Coxce £10, and I give £10 to my kinsman Mathye Holmes's two children, to pay to the Master of the Ship if he will lett them goe to Vergenia, and 40s. to buy them some cloathing, but if they do not go they are to have nothing. To Mr. Nicklis 10s to make him a ring and to his wife 10s. for a ring. To Oliuer Holmes £10 and to Richard Grabe £10. To my Brother James Parker 40s. who dwells near Canterbury. To the poore at Lugden 40s, to be given them in bread, before Christmas and Neuers Day, as the rector and overseers shall see fit. To Mrs. Janson, my good country woman, 20s. Executors: Oliuer Holmes and Richard Grabe.

Witnesses: Richard Graybee and Elizabeth Walker. [Deceased in Parts beyond the sea.—Probate Act Book.]

Fairfax, 24.

EDWARD DIGGS. Will 28 August 1669; proved 30 June 1686. Now bound upon a Voyage for Virginia do make my wife Elizabeth Diggs my sole Executrix and doe give her £1200, and all the rest of my estate except the following legacies. To all my children, being four boys and four girls, £250 each, the profits of ⅔ of my plantation till my eldest son is 24. Guardians and executors, in case of my wife's death, Sir William Houell, Coll William Willis, Mr. John Jefferies, and my cozen Dudley Diggs. Witnesses: Jo: Diggs, Will Diggs. The 16th of June, 1675. This will proved in Court by the oath of William Diggs and a probate granted the Executrix and ordered to be recorded. This is a true copy of the abovesaid will, from the Records in the Secretary's office. Test Edw. Harrison. per E: Chilton official Clerk. 15 May 1685. The above writing is a true copy of the will of Edward Diggs Esqr. taken of from the Records, as appeares by the Certiff of the Clerke of the Office, William Cole, John Page.

Lloyd, 73.

[Edward Digges, the testator, was son of Sir Dudley Digges, of Chilham, Kent, England, Master of the Rolls, and was Governor of Virginia. For an account of his descendants in Virginia, see *William and Mary Quarterly*, Vol. I. The "cozen" Dudley Digges, one of the executors, was doubtless his nephew, son of his eldest brother, Thomas Digges, of Chilham.]

THOMAS PUTNAM, aboard the Increase, bound for Virginia. Will 29 December 1647; proved 20 May 1659. I make my wife Dorothy my executrix. To my son Thomas Putnam £20 out of £43.9s due to me by my father William Putnam's will, dwellingham shire [sic] in Chessam parish, remainder of said money to Dorothy my wife, she to pay Sara Miller at Holburne Barre in middle Rowe £5 and To John Salter £4.16s due to me from Henry Bolton of Saint Clements Church, unto Mr. Coxyn, Chirurgeon aboard the Ship, 20s. He to take care of my wife and child. Witnesses: Arthur Bromwell, John Bigge. [Letters of administration granted to John Smyth, husband of Dorothy

Smyth alias Putnam, late wife of said testator. Thomas Putnam the elder to administer during the absence of said Dorothy and Thomas Putnam the son of said deceased (now both in Virginia beyond sea).—Probate Act Book.]

Ruthen, 197

PETER CHAMBRELAN, thelder, of London, Chirurgeon. Will 29 November 1631; proved 16 December 1631. To the poore of the French Church in London £5. To the poore of All Hallows Stayning in marke Lane, London, 40s. To the poor of Downe in County Kent 40s. To Mr. Nett, vicar of said parish, 20s. To the poor of Dionis Backchurch in London where I now live 40s. To Esther Cargill, eldest daughter of my daughter Esther, £200. To the rest of my daughter Esther's children, that is to say, Jane, William, and Margaret, £200 each, said children in Scotland. To Thomas Cargill, eldest son of my said daughter, all my property in Downe, Crodon, Keston, and ffarneborowe, County Kent., my bookes, and my watch. To Anne Cargill, my grandchild, my New English Bible and the Diamond ring I had from Queen Anne To my Brother Simon Chambrelan of county Kent my furred coats. To Peter Smith my godson, now in France, £60. To his brother Robert Smith, now in Virginia, £40. They to claim said legacies within 8 years after my decease. To my cozen Abraham Chambrelan the younger my house clocke. To my three servants Thomas Price, George Crawley, and Francis August, my shop books, and all moneys owing me therein, and all stuff in my shop except Confectio, Alcarnus, Ambergrice, muske, Civett, and Pearle. To my two woman servants £3 each. To my Grandchild Anne. all the rest and residue of my estate whatsoever. Executors: my friends Mr. Richard Legge, Merchant in Tower streete, London, and Mr Abraham Chambrelan, Merchant in Bread-streete, London. Overseer, Mr. Abraham Chambrelan thelder, Merchant. Witnesses: John Davies, Scr. Edward Ridley, Cittizen and leather seller of London, Fran: Harrison, servant to the said Scr.

St. John, 130.

[See a sketch of his life in the "Dictionary of National Biography."]

ROBERT MIDDLETON. Will 3 April 1627; proved 18 July

1627. To my brother William Middleton of Lamton, in Yorkshire, all goodes, to wit one Trunck where in is certain goodes and money, one suit, one Cloake, a girdle, a pair of gloves, A Pettrass ring, a venis looking glasse of Ebonie, also £6 in the hands of Edward Lane, Pulley maker, dwelling in Shadwell, £7 due to me from Alexander Normans of Saint Katherines, Cooper, also all due to me in the plantacion, whereof is Master, Peter Andrewes. , My friend Thomas Baab and Richard Lowther to be overseers and receive the above for the benefit of my brother, William Niddleton. [Deceased in Virginia —Probate Act.]

Skynner 78.

GEORGE RICHARDS of London, Weaver. Will 14 June 1690; proved 15 June 1694. To be buried by my deare wife in Aldgate Church. All debts in England or Virginia to be paid. I doe order that whereas about 18 yeirs since I did enter several tobbs in the custom house, London, and in the farmers time which I judge was to the value of about £80 or £90 which the Waiters of severall Virginia Shipps did order me to post short of what I ought and should have done, and likewise about 12 years since when the King had it in his hands to the value of about £50 or £60 and about 10 years since to the value of 8, said sums to be returned to the rightful owners. To my brother Edward Richards, eldest son, who is now at Oxford, £20 per annum towards his bringing up for four years and £100. To his eldest daughter and her sister Elizabeth, who is now an apprentice near the New Exchange, £100 each when 21. To his other 3 children £50 each. To my brother in law Mr. John Nevoyes two eldest sons, John and Edward, £50 apiece. To my neice Barbara Wittall, my sister Barbara Phillpott's daughter, £50, and to her children living at the age of 16 £20 each. To the poor of St. Buttolphs, Aldgate, £50. to buy land and houses, the profits to be given to the poor. To Christ Hospital £200. To the poor of Weavers Hall, London, £50. To the poor of Holy Roods in Southampton, where I was born. £5. To the poor of Lambeth £5. To my wife's father, and her mother and sister, and her husband, and to Captain Phillip Foster who was my master, £10 each. To William Lydyerd, my porter. £5.

To my daughter Sarah Richards £1800 when married. All the rest to my son Phillipp. I judge I am at this time worth above £8000. Executor: my son Phillip. Witnesses: William Lydeard, John Warr, Thomas Nevey.

Box, 138.

[The species of fraud in the tobacco trade described by this penitent sinner was doubtless common in London.]

HENRY GERRARD. Will 20 July 1689; proved 11 March 1692-3. To my daughter Elizabeth Bayley 20s. to buy her a ring. To William and Elizabeth Bayley, my grandchildren, each of them a mare filly the first that falls and shall live to be weanable with their increase. To Thomas Peters, the son of John Peters, deceased, A Cow and a Calf to be putt into the hands of Mr. Hennery Harman provided he keeps the boy. To George Peters a heifer called Crooks Heifer. To Margaret Osborne the 250 lbs of Tobacco she was indebted to me for a Gowne and desire she may be paid 600 lbs of Tobacco which is her full wages. To Ferninando and Nicholas Gerrard, my two sons, all the rest of my estate, also all the money or goods which may be recovered in England. To Jacob Bayley, my Son in law, two Barroes four years old each. Overseers: Capt. Nicholas Wyatt and John Tirrey. Witnesses: Mathew Adams: Will Jennings. After the signing and sealing of the in mentioned will I the said Henry Gerrard doe make this my last bequest (vizt) Item I give to my Godson Francis Wray a Cow Calf. Test the mark of William Jennings. Charles City county, in Virginia. October 3 Anno 1689. Oath of William Jennings.

Coker, 51.

[Captain Nichols Wyatt was a well known citizen of Charles City county, and John Tirrey, of Surry.]

MICHAELL MUSGRAVE of the parish of Pienketanck in the River of Rappehannock in the County of Midlesex, Virginia. Will 21 December 1697; proved 26 January 1697–8.

[Printed in full in this Magazine, XIV, 93.]

Lort, 15.

REVOLUTIONARY ARMY ORDERS
For the Main Army under Washington. 1778-1779

(From Originals in the Collection of the Virginia Historical Society.)

(CONTINUED.)

Head Quarters June 1 1778.

Brigadier to morrow Muhlenburg.

F. O. Colo. Wigglesworth & Major Church.

Brigade Major Minnis.

Inspector from Learnard's Brig'e.

Colonel Coatland* is appointed to tarry in Camp to superintend the Sick left on the Ground when the Army moves & to send on the recovered men properly Officered to Join their respective Corps & Major Green will repair to the Yellow Springs and the Hospitals near Camp and Superintend the Sick their. Thay will apply to morrow at the Orderly Office for written Orders. The following will be observed as a standing Model for the Order of March—wether for the whole Army or Divisions, Brigades or Battilions—it may happen that some Chainge may be necessary in Strength or number of the advance Rear & flank Guards, and in their respective distances to each other and to the main body &c. which are to be determined according to the perticular Circumstance which the Officer Commanding will Judge of—But Gen'l principals & Rules here layed down are in all Cases to be practised only with such variations in appyling them as different Situations may requir—When a Battilion Receives orders to march each Company forms before its own Quarters, the Captains haveing inspected the Arms & accountrements conducts them to the Regimental Parade where the field Officers inspects the whole—forms each Battilion into 8 Platoons for Charging agreeable to the instructions given and march by Platoons to their Rendezvous. When only one Battilion marches the Colonel Orders out one advance and Rear Guard each Consisting of a Sub 3 N. C. Officers, 1 Drumer & 20 privates—A Brigade Composed of several Battilions has an advance and

* Probably Col. Philip Van Cortland of the 2nd New York regiment.

Rear Guard each Consisting of 1 Capt. 2 Subs 6 N. C. Officers & 40 or 50 privates—where several Brigades march together each Brigade furnishes a proportionable number for advance and Rear Guards—when the whole Army marches the new Guard of the Day forms the advance Guard & the Old Guard forms the Rear Guard—The new Guard being assembled on the parade the Brigadier of the Day forms them into a Battilion of 8 Platoons the Oldest field Officer of the day takes Command of it and Marches at the head of the Collumn—The Brigadier of the preceeding Day haveing assembled the Old Guards forms them in the same manner the eldest Field Officer takeing the Command and marching in the Rear of the Collumn—The advance Guard shoud be advanced from 50 to 200 paces in front of the Column—each advanced Guard shoud send forwards a Detachment to Serve as an advanced Guard to its self and that detachm't shoud also send out a patrole in front each 100 paces in front of the other. Thus 1 Captain 2 Subs 6 N. C. Officers 1 Drumer & 50 Men will send out a non Commissioned Officer & 12 Men & that N. C. Officer will advance 4 Men in his front—and advance Guard of a Sub & 20 Men will advance 1 N. C. O. and 8 Men & the N. C. O. will advance 2 Men in his front—the Rear Guard will observe the same Rule in sending its detachments in the Rear as the advance Guards does in front—When a Brigade Devision or the Army marches by the Right its supposed the Enimy is on the left on the Contrary each Battilion will therefore send out on the flank exposed to the Enimy 1 Sub 2 N. C. O. & 16 Men as a flank Guard who will march in a platoon by files from the Right oposite the Center of the Battilion at the distance of 80 or 100 paces of the Column—when the Army marches in two Columns the Right Column has its flank Guard on its Right and the left Column on its left—when in one Column and the position of the Enimy uncertain Guards must be sent on both flanks the advance flank & Rear Guards must allways have their Bayonets fixed—when ever the Ground will permit the Battilion must march by Platoons during the March each Colo. must Stay before his Batt'n & each Capt. & Subs before their Platoons—the intervals between the Battilions & Platoons must be Strictly observed during the march—when their is a Creek or defile to pass the Brigadiers must stop till their

Brigade has passed & the Colonels till their Respective Battilions has passed—they will take Care that their men pass with as large a front and as quick as possible—the advancd Guard haveing passed the defile shoud take such a Situation as to be able to see all arounid & shoud send out Patroles 500 Paces round. The head of the Columns halt before thay enter the defile to let the Platoons * * * at half distance & when half the Column has got thro it halts till the whole has passed & then Continues its march—when the Road will not permit to march by Platoons the march is to be made by Seconds of 4 in front in the following manner each Officer divides his Platoon into Sections for example a platoon of 16 files makes 4 Sections they will brake off by the Right or left and Continue the March each Section 2 paces distance from the other—if a platoon has 15 file the last Section will have 3 file—if the Platoon has only 14 the last will have 4 Men in the Rank—if a platoon 13 file the last will have 5 file—when marching in this Order by the Right the Officers Commanding platoons will be on the left of the 1st Section the Serjeant on the Right stays in his place & the Officers & N. C. Off. that was in the Rear will be on the Right flank if they march in this Order by the left the Comm'g Officer of the Platoon remains on the Right of the first Section and the others on the left flank so that by wheeling the Sections the Platoons will be formed & each Officer & N. C. Officers be in his place during the march, each officer must keep his platoon in Order the Officers & N. C. O. in the Rear must prevent the Soldiers from leaving their Ranks on any account—if the Soldiers have occation for water the Officer must send a non Comm'd Officer with some men to fill their Canteens, and the N. C. Officer must bring them back to their Platoons immediately, the flank Guard will never suffer any N. C. O. or Soldier to pass them during the march & the Rear Guard will bring up all Straglers.

	S	S	C	P
Guard	–	1.	–	6.
3 days Command . .	–	–	1.	3.
In Guards . . .	–	–	1.	7.
Quarter Guard . .	–	–	1.	6.
	1.	1.	3.	22

Head Quarters Valley Forge June 2, 1778.

Brigadier Gen'l to morrow Poor.
F. O. Colonel Bowman & Lt. Col'l Buford.
Brigade Major Claybourn.
Inspector from Pattersons.

At a Gen'l Court Martial Colonel Chambers Presid't May 29, '78—Lt. Colonel Gray* of the 12 Pensylvania Regiment Tryed for un Officer & un Gentlemanlike behaviour in entering into Private Contracts with the Soldiers of his Regiment for the deficiency of their Rations, by which means and other unwarrantable practices the Soldiers are defrauded of a Considerable Sum of Money found Guilty of the Charges exhibited against him, being a breach of 21 Article 14 Section of the Art'o of War and Sentanced to be Cashiered, and that agreeable to the 22 Article 14 Section of the Articles of War his Name Place of abode and punishment be published in the News Papers and in and about Camp and of that perticular State from whence he came or in which he usually Resided—His Excellency the Commander in Chief approves the Sentance and orders it to take place.

At the same Court Lt. Webb† of the 7 Virginia Regiment Tryed for disobedience of Orders for going on duty in a hunting Shirt after Confesing he had a Coat and being Desired if he had no regard for his own appearance to have some for the Credit of his Regiment and therefore not to appear in so un-Officer like manner found Guilty & Sentanced to be reprimanded by the Commanding Officer of the Regiment to which he belongs in presence of the Officers of the Regiment—The General approves the Sentance and Orders it to be put in execution to morrow morning at Roll Call.

B. O. June 2. A Brigade Court Martial Major Dickinson

*Neigal Gray, commissioned Lieutenant Colonel 12th Pennsylvania, Oct. 5, 1776.

†Heitman has no Webb as lieutenant in the 7th Virginia at this time. He gives Isaac Webb, lieutenant 2nd Virginia until Sept. 14, 1778, and who served until January, 1780. At this date John Webb was major of the 7th Virginia.

President is to Set to morrow morning at 10 O'Clock at the Presidents Quarters for the Tryal of all the Prisoners in the Brigade.

	C	S	S	C	P
Detail for Guard .	–	–	1.	1.	6
In Guards . .	–	–	–	1.	8
Quarter Guards .	–	–	–	1.	6
Court Martial .	2.	2.	–	–	–
	2.	2.	1.	3.	20

Head Quarters June 3, 1778.

Brigadier General to morrow Varnom.
F. O. Lt. Colonel Regnair & Major Porter.
Brigade Major McCormack.
Inspector from Weedons.

Thomas Shanks on full Conviction of his being a Spy in the Service of the Enimy before a Board of General Officers held Yesterday by Order of the Commander in Chief is Judged worthy of Death he is therefore to be hanged to morrow morning at Guard Mounting at some Convenient Place near the Grand Parade.

At a General Court Martial June 1 1778 Colonel Chambers President, Lt. Toomy* of Colon'l Gests Reg't detached to the 3rd Maryland Regiment Tryed for disobediance of Orders found Guilty and Sentanced to be Repremanded by the Commanding Officer of the Regiment to which he belongs in presence of the Officers of the Brigade. The Commander in Chief approves the Sentance and Orders it to take place to morrow morning at Roll Call. Officers for Detachment Lt. Colonel Farmer & Major Murphey.

[This concludes the orders in this section of the book; but the publication of the others will follow].

*John Toomy of Maryland.

GENEALOGY.

THE BRENT FAMILY.

Complied by W. B. CHILTON, Washington, D. C.

(CONTINUED.)

(P. C. C. Act Book 1631-3, fo. 28.)

ELIZABETH BRENT ALS. READE.

16. May, 1631, commission issued to Edward Reade, esq. of Mitton, co. Worcester, brother of Elizabeth Brent als. Reade, deceased, and while she (? he) lived wife of Richard Brent of Admington, co. Gloucester, to administer the goods &c. of the said deceased.

(P. C. C. Admon. Act Book, 1631-3, F. 154.)

WILLIAM BRENT.

2. March 1632-3, a commission was issued to *Sir. Nathaniel Brent*, Knight and Doctor of Laws, and to Richard Brent, Gentleman, brothers of William Brent, late of Wolford Parva, in the county of Warwick, bachelor, deceased to Administer, etc.

15 March, 1632-3, the said *Richard Brent* renounced the same.

DICTIONARY OF NATIONAL BIOGRAPHY.

BRENT, SIR NATHANIEL, (1573?-1652), Warden of Merton College, Oxford, was the son of Anchor Brent of Little Wolford, Warwickshire, where he was born about 1573. His grand-father's name was Richard and his great grandfather was John Brent of Cosington, Somersetshire. He became "portionist", or postmaster, of Merton College, Oxford, in 1589; proceeded B. A. on 20 June 1593; was admitted probationer fellow there in 1594, and took the degree of M. A. on 31 Oct. 1598. He was proctor of the university in 1607, and admitted bachelor of law on 11 Oct. 1623. In 1613 and 1614 he travelled abroad into several parts of the learned world, and underwent dangerous adventures in Italy to procure the "History of the Council of Trent", which he translated into English (Wood). In 1616 Carleton, ambassador at the Hague, writes to Winwood that he leaves Brent, 'one not unknown to your honour' to conduct the business of the embassy during his temporary absence at Spa. On 13 Oct. of the same year Carleton writes again to Winwood that Brent is bringing home despatches, and hopes to secure an office in Ireland, for which Carleton recommends him highly. On 26 Nov. Winwood replied that the post in question, that of 'Secretary of Ireland',

THE DERING ARMS, PLUCKLEY, KENT.
Formerly a Mansion.

From a photograph.

See XII, 222.

had been conferred on Sir Francis Annesley before Brent's arrival in England. Soon after the close of his foreign tour Brent married Martha, the daughter and heiress of Robert Abbot, bishop of Salisbury, and neice of George Abbot archbishop of Canterbury.

The influence of the Abbots secured Brent's election in 1622 to the wardenship of Merton College, in succession to Sir Henry Savile. He was afterwards appointed commissary of the diocese of Canterbury, and Vicar-general to the archbishop, and on Sir Henry Marten's death became judge of the prerogative court. During the early years of Laud's primacy (1634–7), Brent made a tour through the length and breadth of England south of the Trent reporting upon and correcting ecclesiastical abuses (Gardiner, Hist. 1884, VIII, 108–17; cf. Hist. MSS. Comm. 4th Rep. 131–147). But Brent chiefly owed his fame to his connection with Merton College. * * On 23, Aug., 1669, he was knighted at Woodstock by the king, who was preparing to pay a state visit to Oxford. On 24 Aug. Brent entertained the French and Dutch ambassadors at Merton, and on 27 Aug. gave a dinner to the king and queen. In 1629–30 he was admitted to the freedom of the city of Canterbury *honoris causa* (Hist. MSS. Comm. 9th Rep. 163b.) In August 1636 Brent presented Prince Charles and Prince Rupert for degrees, when Laud, who had become chancellor in 1639, was entertaining the royal family. In 1638 Laud held a visitation of Merton College, and insisted on many radical reforms. Laud stayed at the college for many weeks, and found Brent an obstinate opponent. * * Brent ultimately gained the victory over Laud. The tenth charge in the indictment drawn up against the archbishop in 1641 treats of the unlawful authority exercised by him at Merton in 1638. The warden came forward as a hostile witness at Laud's trial. * * Laud replied to Brent's accusations in his 'History of the Troubles and Trial' (Anglo-Cath. Libr. IV, 194). On the outbreak of the civil wars Brent sided with the parliament. Before Charles I entered Oxford (29 Oct. 1642), the warden had abandoned Oxford for London. On 27 Jan. 1644–1645 Charles I wrote to the loyal fellows at Merton that Brent was deposed from his office on the grounds of his having absented himself for three years from the college, of having adhered to the rebels, and of having accepted the office of judge-marshal in their ranks. He had also signed the covenant. The petition for the formal removal of Brent, to which the king's letter was an answer was drawn up by John Graves, Savilian professor of geometry. On 9 April the great William Harvey was elected to fill Brent's place; but as soon as Oxford fell into the hands of Fairfax, the parliamentary general (24 June 1646), Brent returned to Merton, and apparently resumed his post there without any opposition being offered him. In 1647 Brent was appointed president of the famous parliamentary commission, or visitation, ordered by the parliament 'for the due correction of offences, abuses and disorders' in the university. The proceedings began on

3 June, but it was not until 30 Sept. that the colleges were directed to forward to Merton their statutes, registers, and accounts to enable Brent and his colleagues to really set to work. On 12 April 1648 Brent presented four of the visitors for the degree of M. A. Early in May of the same year Brent showed more mercy than his colleagues approved by 'conniving' at Anthony a Wood's retention of his postmastership in spite of his avowed royalism. Wood tells us that he owed this favour to the intercession of his mother, whom Brent had known from a girl. On 17 May 1649 Fairfax and Cromwell paid the university a threatening visit, and malcontents were thenceforth proceeded against by the commission with the utmost rigour. But Brent grew dissatisfied with its proceedings. The visitors claimed to rule Merton College as they pleased, and without consulting the warden, they admitted fellows, masters, and bachelors of arts. On 13 Feb. 1650-1 he sent a petition of protest against the conduct of the visitors to parliament. The commissioners were ordered to answer Brent's complaint, but there was no evidence that they did so, and in October 1051 Brent retired from the commission. On 27 Nov. following he resigned his office of Warden, nominally in obedience to an order forbidding pluralities, but his refusal to sign 'the engagement', which would have bound him to support a commonwealth without a king or a house of lords, was probably the more direct cause of his resignation. Brent afterwards withdrew to his house in Little Britain, London, and died there on 6 Nov. 1652. He was buried in the church of St. Batholomew the Less on 17 Nov. Wood states that he had seen an epitaph in print on Brent by one 'John Sictar, a Bohemian exile, whom Brent had provisioned' in his lifetime.

Brent's daughter Margaret married Edward Corbet of Merton College, a Presbyterian, on whom Laud repeatedly refused to confer the living of Chartham. Brent's literary work was small. In 1620 he translated into English the 'History of the Council of Trent' by Pietro Soane Polano (i. e. Pietro Sarpi). A second edition appeared in 1629, and another in 1676. Archbishop Abbot had caused the Italian original to be published for the first time in 1619 in London. In 1625 * * * 'Brent edited and republished the elaborate defence of the church of England 'Vindiciae Ecclesiae Anglecanae', first published in 1613 by Francis Mason, archdeacon of Norfolk (Strype, Parker, I. 117). * * *

Brodrick's Memorials of Merton College, Oxford; Wood's Athenae Oxon. (Bliss), iii, 332-6, and passim; Wood's Fasti (Bliss), i. iii; Laud's Works; Cal. State Papers (Dom), 1615-50; Burrow's Parliamentary Visitation of Oxford (Camden Loc.)

S. L. L.

THE WILL OF SIR NATHANIEL BRENT of London, Knight, being very aged. Dated 4 Nov., 1652. Proved 29 April, 1653.

I give thanks to God that I am the son of believing parents and have

From a Photograph.

ADMINGTON HOUSE.

See XIII, 97.

been instructed in the true faith. I bequeath my body to be buried in the church of Little St. Bartholomew's as near as may be to the grave of my late wife. Whereas a marriage was not long since celebrated between my eldest son Bazil Brent and Elizabeth Bennett, daughter of ——— Bennett, esquire, formerly of London, deceased, by occasion whereof my manors of Clapcott and Rushcourt were settled upon them by deed quadripartell of 10 June, 1650, I now ratify all that I then granted them.

If my son Basil die without a son living I give the remainder of my lease of the rectory of Long Compton, which I hold of Eton College to my younger son Nathaniel, and if he die before the said Basil then to my daughter Anne, and after her my daughter Corbett and her children.

Whereas divers sums are owing to me by my son Corbett for which I have nothing to show but his bare word which I account to be as good as another man's bond. I freely release him from payment of the same.

I give to my two youngest children Nathaniel and Anne 50*li* apiece towards furnishing each of them a chamber at their ages of 16; and I desire my son-in-law Dr. Corbett and his wife to take care of my said sweet children. I appoint my friend John, late Bishop of Rochester, my brother Mr. Richard Brent and my son-in-law Mr. Dr. Corbett to be overseers. To my servants 10*li* apiece, being not able to give more by reason of the times.

To Michael Temple my best gown. I give 20 nobles and 4*li* to the poor respectively of the parish where I shall end my days and of Long Compton in Warwickshire. Whereas I have always been much obliged to the said late Bishop of Rochester, I give him 20*li* in token of my thankfulness; and to my cousin his wife 10*li*.

I make my son Basil my executor. Memorandum that I have thus far proceeded this third day of November, 1651, meaning it shall stand for my will. This 4th day of November, 1652. I give to my son Dr. Edward Corbett the lease of Emmbton and Pont Island in Northumberland which I hold from Merton College, Oxford, taken in the name of my friend Mr. Philip Owen, citizen of London.

I bequeath to my son Nathaniel the houses in Fleet Street and Temple Bar purchased of Mr. Evet and Mr. Brumstead, trustees for the children of one Mr. Hartburne in Oxfordshire. To my daughter Anne 2500*li*.

(Signed) Na. Brent.

Witnesses: Tho. Wilcoxon, William Newhouse, Jane Moore.

In regard to his tender years I revoke the executorship and in his stead appoint my said son-in-law Dr. Corbett, and I give to my son

Basil all the residue of my estate. I give to Mrs. Katherine Doughtie 10*li*, and to Mrs. Jane Mall 40s.

(Signed) Na. Brent.

Witnesses: Thos. Wilcoxon, William Newhouse, Mich. Temple, Richard Clemenby.

We whose names are subscribed doe testify that upon the 1st of November, 1652, near seven of the clock Sir Nathaniel Brent lying in his bed did send for the said Dr. Corbett & said in our hearing 'Son Corbett, I give you all my studdy of bookes except 20 works which I give to my son Basil." Katherine Doughtie; Willia Newhouse; Jane Moore; Margaret Addams, Witnesses.

Proved 29 April 1653 by the executor named.

(P. C. C. Brent 222.)

THE WILL OF BAZILL BRENT of Hanslop Parke in the parish of Hanslop, co. Buks, esq. Proved 4, Sept. 1695. [The son of Sir Nathaniel Brent.] Directs hat his body shall be buried in Hanslop church or in the parish of Little St. Batholomew in case he should die in London.

Bequests to the poor of Hanslop etc.

To his son-in-law Henry Reyneli and his daughter Elizabeth, wife of the latter.

To his wife Joyce, his grandson Brent Reynell and his two sisters Elizabeth and Katherine Reynell.

(Signed) Bazill Brent.

Witnesses: Francis Hales, Mary Golding, Anna Golding, Tho. Bedingfield.

(P. C. C. Irby 514.)

(P. C. C. Admon Act Book, 1632, F. 72.)

RICHARD BRENT.

21 May 1652, a commission was issued to *George Brent*, son of *Richard Brent*, late of Larkstoke, co. Gloucester, widower, deceased, to administer etc.

NOTE. The George Brent mentioned was the father of George Brent of Woodstock, the first of that name in Virginia.

P. C. C. Admon. Act Book. 1677.

RICHARD BRENT

21 June 1677, a Commission was issued to *Robert Brent*, nephew by the brother of *Richard Brent*, late of Larkestoke, co Gloucester de-

ceased, to administer the goods, etc., letters of administration granted May 1652 having been renounced.

NOTE.—The long delay in the settlement of this estate is not understood.

(P. C. C. Adom Book, 1656, January.)

FOULKE BRENT, b.

On ye tenth day a Comon issued forth unto Cecilia Brent, Widdow, ye relict of Foulke Brent,* late of Welland, in ye County of Worcester, intestate, deceased, to administer the goods, chattels and debts etc., shee being first sworn by Comon truly to administer.

NOTE.—The same entry seems to have been made twice.

(P. C. C. King 52.)

WILL OF RICHARD BRENT, of Stoke als Larkestoke, Co. Gloucester, Gent. dated 22 July, 1676.

I give to my servants, John Redding and Katherine Jeffes, 20*li* apiece.

I give to my daughter, Margaret, wife of Thomas Bartlet, of Evesham Co. Worcester, 50*li*.

I give to my servant and tenant, Wm. Jeffes, (father of the said Katherine) 30*li*. provided that if he be permitted to hold the house etc. where he now liveth for one & twenty years after my death, at the yearly rent of 5s, he then take that in satisfaction of his 30*li*.

All my lands and rents in Walton, Cardiffe, Co. Gloucester, I give to my two sisters, Katherine als *Christina Brent*, and Eleanor als *Helena Brent*, Spinsters.

The residue of my lands, chattels, etc. I give to my son *Robert Brent*, my next heir, whom I make my executor.

(Signed) *Richard Brent.*

No witnesses.

Codicil, 27 October, 1678. I give to my daughter Margaret Bartlet, aforesaid, all my wool, old and new.

Witnesses to my last will & testament: Thomas Lumley, John Price, Bridget Smith.

Proved 10 May 1679, by *Robert Brent*, son & exor. named to whom administration was granted.

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* Foulke Brent was the son of Richard Brent and Elizabeth Reed and the brother of Giles Brent of Maryland and Virginia.

(TO BE CONTINUED.)

THE MALLORY FAMILY.

(CONTINUED.)

[Through an accident the pages of the Mallory genealogy in the October number of the Magazine were so transposed that it is deemed best to reprint the whole instalment.]

ROGER[13] MALLORY, son of Dr. Thomas[12] Mallory rector of Northenden, Cheshire, and of Eccleston, Lancaster, England, obtained a grant of land in Virginia in 1660. His uncle, the Rev. Philip Mallory, also willed to him all his plantations in Virginia. He settled in that part of New Kent county, Va., which later became King and Queen county and still later King William county.

He was a Justice of New Kent county in 1680, and as late as 1690 (Va. Magazine Jan., 1894, and April, 1899), and of King and Queen county in 1693. (see below) and the title of Captain. On the 30th of April, 1688, he received by patent a grant of "2514 acres of land sittuate and being ye P'ish of St. John in ye county of New Kent on ye south side of Mattapony River * * * w'ch land was formerly granted to ye said Captain Roger Mallory by pattent and in the late troubles casually lost and is due by and for ye transportation of fifty-one persons," &c.

On the 26th of April, 1698, Roger Mallory referred to as "gent," received by patent a grant of 300 acres "lying in King and Queen county aforesaid (but lately part of New Kent county)."

In 1704-5 Roger Mallory was a Justice of King William county. (Va. Magazine April, 1901).

NOTE.—Captain Roger Mallory was probably the son of Jane the first wife of Dr. Thomas Mallory, and if so was born between 1632 and 1638.

Dr. Mallory apparently did not leave Oxford till 1632, and his wife Jane died in 1638. Roger was therefore about 70 years of age in 1705, or less.

WILLIAM[14] MALLORY, son of Captain Roger Mallory, appears to have settled in Elizabeth City county, Va., as early as 1680. He married Ann Wythe, daughter of Thomas Wythe, gent., a justice of that county.

From the book of "Deeds and Wills, 1689-1699 Eliz. City county," page 115, it appears that Diana Moore, wife of John Moore of Gloster county, on the 27th of Nov., 1690, relinquishes quit claims, etc., her right, title, etc., to a certain tract of land in Elizabeth City county, to William Mallory which it appears her husband and Susannah Moore had "on the 16th of August, 1680, sold to the said William Mallory of Elizabeth City county."

On the same page appears the following: "Know all men by these presents that I Ann Malory, wife of Will'm Malory of ye said county of

Eliza. City, doe hereby apoint and constitute my Father in law Captain Roger Malory, of King & Queen county, my true and lawful attorney for me & in my name & stead to acknowledge in ye Court of King & Queen county, all my right of dower or third yt. I have or ought to have of in and to two parcels of land lying in Pomonky Neck in aforesaid county unto Richard Gizage, contayning———acres of land, as by two deeds of sale may appear, sould by my said husband unto ye s'd Richard Gizage & what my said Atorney shall lawfully act and doe in ye Premises afores'd doe hereby Ratifie and Confirme in as ample manner to all Intents and purposes as if I were personally present.

Witness my hand and seale ye 2d, s'd day of May, 1693.

Ann Malory, Seale.

Witness:

Thomas Wythe, Sen'r,
Charles Jenings.

Elizabeth City County.

At a meeting of their Ma'ties Justices at ye house of Mr. William Mallory's May ye 3d 1693.

PRESENT:

Mr. Edmund Swansy,
Mr. Tho Wythe Jun'r,
Captain William Armistead } Justices.
Mr. Aug. Moore.

The above letter of Atorney was then Prouved by the Oaths of Thomas Wythe and Charles Jenings."

On the same page follows a similar power of Attorney in the case of another tract of land in King and Queen county, sold to one "John flord," Mallory being spelled in this case invariably with two "l's." Executed and proved the same day.

In the same book on page 223, appears the following:

"Know all men by these pres'nts yt. I Wllm. Mallory, Doe give unto my Sonn Francis Mallory one negro Lad nam'd Will and one Gray Mare & their Increse to him & his heirs for ever. It Being in consideration of forty Pounds Sterling. It Being Given vnto my said sonn By his Grand Mother Ann With.

As Witness my hand this 18th of Xbr., 1696.

W'll'm Malory.

Acknowledged in Cort of Eliz., Citty County this 18th of Xbr., 1696.

Teste Chas. Jenings, Clerk.

Witness:

Wm'll (?)
Simon Holliday"

On the 20th of April, 1687, William Mallory received by patent a grant of 3740 acres of land, "lying in New Kent County in Pomunky

Neck w'ch land was formerly surveyed by Capt. Wm. Claybourne dec'd for Captain Roger Malory."

On the 2d of May, 1706, he received a patent for 274 acres in Elizabeth City County.

The will of William Mallory is recorded in the book of Deeds, Wills, Inventories and Orders 1715 to 1721, Elizabeth City County

William Mallory of Elizabeth City County in Virginia Will dated 17 August, 1719. Proved 15th February, 1720.

To my loving son Francis Mallory the Plantation whereon I now dwell.

To my son William Mallory all the residue of my Lands to enjoy the same at the age of sixteen.

In case of the death of either son without heirs his part to fall to the survivor and his heirs.

All my personal estate (except my Copper Kettle) to be equally divided between my son William & my Daughters Mary and Ann. Above mentioned Kettle to son William.

Unto son Francis negro man named Will. Also a small brass Kettle. Son Francis to have liberty to get timber over my whole land for his Plantation use.

Executors, sons Francis and William. Mr. Thos. Wythe appointed overseer to see this will proved and performed. Witnesses Jno. B. Bean, Ann Bean.

FRANCIS[15] Mallory, son of William[14] Mallory and his wife Ann (Wythe) Mallory, married Ann Myhill, as appears from "An Acco't of Marriage Licenses 1719-1720," Elizabeth City county Records. It also appears from the county records that (about the year 1721) Francis Mallory came into court with Ann his wife "formerly wife of Edward Myhill" on business connected with Edward's will.

It seems probable that Francis M. married a second time and that the family name of the second wife was Johnson, his only child being named Johnson.

From a deed recorded in 1738, it appears that Francis Mallory was Church Warden for Elizabeth City Parish in that year.

The following is an abstract of his will which is recorded in Elizabeth City county:

Will dated 7 January, 1742. Proved 18 July, 1744. Francis Mallory of the county and Parish of Elizabeth City.

To granddaughter Ann Mallory five negroes named Lucy, Whittey, Nanny Juny and Aggy. To cousin Elizabeth Read fifteen Pounds Current money of Virginia. To my good friend Capt. John Tabb a Gold Ring of twenty shillings value. "I give and bequeath unto my son Johnson Mallory and his heirs forever all my Land both in this above-said county and in Warwick county together with all my slaves which I have not here to fore given; also all my Stock House hold Goods

and Cash by me and all other Goods or Estate which to me belongs or in any wise appertains, to him the said Johnson Mallory and his Heirs forever. Item whereas I have and there belongs to me the Reversion of certain Tract of Land lying in King William County now belonging to the Indians and other Persons which are now in the possession of the said Indians and those other Persons. It is therefore my will and desire that the said Reversion and all the Rights, Title or Claim that I or my Heirs have or should have if this Will had never been made do go and decend to my said son Johnson and I do hereby give and bequeath the same to him and his Heirs forever."

Appoints his son Johnson his "whole and sole Executor."

Witnesses: John Tabb, Margaret Tabb, Wm. Bean.

JOHNSON[16] Mallory only child of Francis[15] Mallory married Diana ——. It is probable that the maiden name of his wife was Diana King.

Abstract of the will of Johnson Mallory of the County and Parish of Elizabeth City. Will dated 9 May, 1760. Proved 5 May, 1762.

To daughter Margaret Mallory Four Hundred Pounds Current Money of Virginia; Six large Silver Spoons and Six tea spoons and the following slaves: Fortune, Phillis, York, and Phoebe and all their future increase.

To Daughter Mary Mallory Four Hundred Pound Current Money of Virginia; six large Silver Spoons and six Tea spoons and the following slaves: Esther, Lucy, Betty, Jupiter and George and all their future increase.

To Daughter Ann King Ten Heifers of three years old. Ten Ewe Lambs and One young sorrel Mare.

To son Francis Mallory the Plantation I now live on; all my Land and Plantation at Back River; all that my Tract and Plantation of Land Lying and Being in the County of Warwick, Containing Two Hundred Acres.

To son Edward Mallory all my Land and Plantation at Harris Creek in this County, being Lands formerly Purchased from John Massenberg, John Armistead and Gill Armstead; all my Lands and Plantations in York County and Charles Parish, and the following slaves: Jacob Boatswain, Dick and Annaka.

To son Francis Mallory my Silver Sett of Buckles, my Troopers and other Militia Arms.

"I hereby Order and Appoint that out of my Estate two young working slaves be Purchased for the use my son Edward Mallory when he comes of age."

"I give and bequeath the use of my Chaise Harness and Horses unto my wife during her Natural Life and at her Decease to my son Francis Mallory & to his Heirs & that is my Desire that my said wife may not be hindered from Claiming her Dower on account of this Chaise."

Gives to Henry King one Mourning Ring, Twenty shillings value.

All the remaining part of estate not already disposed of to be equally divided between his two sons Francis and Edward.

Appoints Henry King a Trustee for his son Francis "and that in Case my said son should neglect or waiste his Estate then he the said Henry King shall take the said Estate into his hands until such time as my said son Francis come of age."

Lastly appoints his wife Diana Mallory and his two sons Francis and Edward Mallory Executrix and Executors.

Witnesses: George Johnson, John Bayley and Francis Parker.

FRANCIS[17] Mallory, eldest son of Johnson[16] Mallory and Diana his wife, was married three times; twice before he was twenty one and once just after.

His last wife was Mary King sister of Miles King, Sr., of Hampton, afterwards of Norfolk.

He was appointed Lieut Colonel of Elizabeth City county Militia in June 1776 (Council Journal) and it would appear that he was later promoted to be Colonel.

After participating in various engagements with the British he was killed March 8th, 1781, while commanding a small force of Militia in an action with a largely superior force of British regular troops commanded by Lieut. Col. Dundas, near Newport News. (See account of this affair, with additional personal details in The Virginia Historical Register, Vol. IV, 1851, page 24 *et seq.* For the British account see letter of Brigadier General Benedict Arnold to Sir Henry Clinton dated Portsmouth March 8th, 1781, in "Clinton-Cornwallis Controversy growing out of the Campaign in Virginia, 1781," Vol. I, pp. 339 340.)

The negroes belonging to the estate of Colonel Francis Mallory, deceased, were in obedience to an order of the court of Elizabeth City county, appraised December 31st, 1788, the valuation being £1444, 11 s. and were divided among his widow, Mrs Mary Mallory, his daughters Diana (Mrs. Geo. Wray,) Elizabeth Mallory, Mary Mallory and his son Charles Mallory, then an infant. (Vol. 34, Deeds Elizabeth City County. 1787-1800).

The will of Mrs. Mary Mallory of Elizabeth City County, widow of Colonel Francis Mallory, dated 20th of January, 1789, was proved in said county April 24, 1789.

To son Charles King Mallory the Marsh adjoining the land whereon she then lived.

Her negro boy James to Mr. Meritt Moore.

The remainder of her negroes to be equally divided among her three children, Elizabeth King Mallory, Mary King Mallory and Charles King Mallory; "to be kept together until either of them shall come to age or marry, and then equally divided, and if either of my said child-

ren should die under age I then give the negroes to the survivor or survivors not including my daughter Wray."

Her clothes to be divided equally between her daughters Elizabeth and Mary.

Her large red trunk, one bed and furniture to her daughter, Diana Wray.

Her watch to her son Charles. Appoints her brother Miles King executor.

Witness: Martha King, Han'h Westwood.

(TO BE CONTINUED.)

THE BROOKE FAMILY OF VIRGINIA.

(By Prof. ST. GEORGE TUCKER BROOKE, Morgantown, W. Va.

(CONTINUED.)

ANCESTORS AND DESCENDANTS OF COL. GEORGE BROOKE OF MANTIPIKE.*

I, Robert Brooke, of Essex county, Va., Gent. b. 1654 d. after Dec. 16, 1712†. He was one of the "Gentlemen Justices" of the County. At a court held in Essex, May 1692, when Essex was formed from Rappahannock District, Robert Brooke produced his commission from Francis Nicholson, Lieu. Governor of Virginia, and qualified as Gentleman Justice. He continued in this office until 1708, after which there is no further record of his being present on the bench (Order Book No. 1). He was Coroner in 1702. He purchased land in Old Rappahannock (now Essex) from Edward Moseley by deed dated January 25, 1686. He m. Catherine Booth (b. 1664) dau. of Capt. Humphrey Booth of Old Rappahannock‡. Humphrey Booth came to Virginia from London

* The material for this paper on Col. George Brooke of Mantapike and his ancestors and descendants was furnished in much the largest proportion by Mr. Charles Washington Coleman of Washington, D. C., but large and important contribution were made by Dr. Alexander Tunstall of Norfolk, Va., Mrs. John M. Brooke of Lexington Va., and Mrs. Ella (Brooke) Perry, wife of Commander Perry, U. S. Navy. The present writer only combined the several parts into one whole and added the notes. "The foregoing papers, (the will of Col. George Brooke, the will of his son William Brooke, the statement as to the heirs of Col. George Brooke in 1834, and the certificate of Land Bounty) are filed in the Land Office, Richmond, Va., among the Revolutionary claims, packet No. 8005. These copies and abstracts were made by me December 1896.

CHARLES WASHINGTON COLEMAN."

See Records of King and Queen county court, April 14, 1834.

† See the will of Samuel Thacker, dated December 16th, 1712, and the will Leonard Tarrant, dated 1718.

‡ *William and Mary Quarterly*, January, 1903, p. 210.

in 1653-4, was a Justice 11th Dec., 1656, and was living in 1665; m. Margaret, dau. of Col. Wm. Underwood and his wife Margaret ———. A marriage settlement between Humphrey Booth and Margaret his wife, dated Aug. 1st, 1663, is recorded in Essex, and from this it appears that the marriage had already taken place before 24th Aug., 1660. Margaret ——— widow of Col. Wm. Underwood m. 2nd Capt. John Upton of Isle of Wight Co. M. H. Burgesses, will proved Dec. 16, 1653; she m. 3rd in 1657, Thos. Lucas of Old Rappahannock, Gent., will proved 14 March 1673. Capt. Humphrey Booth and his wife Margaret Underwood had three children; 1. Humphrey "son and heir apparent of Humphrey Booth, late of the said County, Gent. deceased" who married before 11th Jan. 1689-90, Phoebe ——— and had a son James Booth, of Essex, living in 1725; 2. Grace Booth who had a deed of gift, dated 16th Sept. 1663, from her grandmother Margaret Upton, alias Lucas (formerly Margaret Underwood) and was dead before 1685; 3. Catherine Booth who m. Robert Brooke. She was put in possession of half of her father's estate, 4th Sept. 1685, she having then come of age; and 19 June joined in a deed with her brother Humphrey Booth; issue of Robert and Catherine (Booth) Brooke.

I. Robert, "eldest son and heir at law," of Essex Co., Va., Surveyor of Essex and commissioned Justice April, 1727. Was one of the "Knights of the Horseshoe." See his will this Mag. April, 1902, p. 436. He m. Phoebe ———* 2. William, of St. Ann's parish, Essex Co., Va., commissioned Justice April, 1727. See his will this Mag., Oct. 1904, p. 216. He married Sarah Taliaferro. See her will this Mag., January, 1905, p. 322.

3. Humphrey, Sr., (see II).

4. Mary, m. before 1713 Leonard Tarrant, of Essex county, Va., Gent., who was commissioned Justice in 1712, and died before September, 1718, leaving a large estate. His daughter, Mary Tarrant, married 23 February, 1733, Rev. Robert Rose, and died 28 February, 1739.†

II. Humphrey Brooke, Sr., of King William county, Va., Gent., Justice, &c. He died 14 October, 1738. See this Mag., April 1904, p. 445. He had a joint patent for 5,000 acres of land "at the foot of the great mountains in the county of Spotsylvania" with his father-in-law,

* Robert Brooke, Knight of the Horseshoe, Surveyor, &c., lived at Farmer's Hall, Essex county, Va., which estate was sold by his grandsons, Humphrey Booth Brooke, Edmund Brooke and their mother Mary (Fauntleroy) Brooke, widow of Robert Brooke III, to Henry Garnett.

† Essex Records say, "At a court held for Essex county, June, 1767, the estate of the late (Major) Robert Brooke was divided, one-fourth to Mrs. Katherine Rose, one-fourth to Mrs. Susannah Rowzee, one-fourth to Mrs. Mollie Sale, and one fourth to Mrs. Elizabeth Voss" Quere: Was Katherine Rose, daughter of the Horseshoe Knight, the *second* wife of Rev. Robert Rose. It was evidently this Katherine Rose who was a witness to her brother, Humphrey Brooke's will. See this Mag., July, 1905, p. 102.

Col. George Braxton, his brother-in law, George Braxton, Jr., and his sons Paulin and George Brooke, 28th September, 1728; and a joint patent for 10,000 acres "between the great mountains and the little mountains," adjoining the land called "Ortuna" in St. George's parish, Spotsylvania county, with his two brothers, Robert and William Brooke, George Braxton, Sr., George Braxton, Jr., and Ambrose Madison, 11th April, 1732 (Land Office Records.. He m. Elizabeth Braxton, dau. of Col. Geo. Braxton, Sr., of King and Queen county, Va. From the records it is probable that the wife of George Braxton, Sr., was Elizabeth, dau. of Thomas Paulin, a Justice of Old Rappahannock in 1688*. George Braxton, Sr., was a member of the House of Burgesses for King and Queen, 1718, 1723, 1726, 1734. He was born 1677 and died 1st July, 1748, and is buried at Mattapony church, in King and Queen, where his tomb may still be seen. His son George Braxton, Jr., was the father of Carter Braxton, signer of the Declaration of Independence. *Hening's Statutes at Large*, VIII, p. 474; *Va. Hist. Register*, IV, pp. 18-66-74; Journals. Issue of Humphrey, Sr., and Elizabeth (Braxton) Brooke.

1. Paulin, born before 28th September, 1728, and apparently died young and without issue.

2. George (See III).

3. Robert, living in 1782, m. 1st Ann Aylett, m. 2nd Lucy Dabney. See this Mag., July, 1904, p. 107. He is named in his brother George's will. See this Magazine.

4. Humphrey, of Fauquier, died in 1802.

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* *William and Mary Quarterly*, January, 1903, p. 213, says: "The Braxtons and the Paulins were in some way connected. Thomas Paulin was a Justice of King and Queen in 1699 In 1706 Samuel Mathews, who married Katherine Tunstall, made a bond to George Braxton, Sr., and Mrs. Elizabeth Paulin in behalf of Mary and Elizabeth Mathews (Essex County Records)."

(TO BE CONTINUED.)

HISTORICAL AND GENEALOGICAL NOTES AND QUERIES.

THOMAS.—John Lilburn Thomas, De Soto, Mo., would like to get into correspondence with the descendants of Norborne K. Thomas, who was a merchant in Richmond, 1814-1818, and died there about 1831. He would also like to know the names and addresses of the descendants of Norborne and Cornelius Thomas, sons of Cornelius Thomas, of Amherst Co., Va. The latter died October, 1775.

Was Cornelius Thomas, who was a member of the Virginia House of Burgesses, 1768-70, and as such signed the articles of Association June 22, 1770, against English trade, a captain in army of the Indian Wars prior to 1775? In 1759 he was called Captain by Wm. Cabell in his diary.

I have the will and marriage contract of Cornelius Thomas, both dated in 1775.

SHEEP IN VIRGINIA

To Be Sold

At my Plantation near *Charlotte* Courthouse, on *Monday* the 30th of *September* next, Six Hundred Choice Sheep, Greatest Part of which consists of young Ewes

BENJAMIN WARD.

Va. Gazette, July 13, 1776.

CHESTERFIELD COUNTY RECORDS.

January Court 1777.

[ORDERS IN REGARD TO SALT.]

Ordered that the Public Salt now at Osbornes & Warwick for the use of this County be delivered to the Inhabitants at the rates of 14 sh. Pr. Bushel and that Thomas Randolph, Robert Goode and Bernard Markham, Gt. deliver the same at Warwick & Thomas Bolling, Benjamin Branch, Robert Kennon & John Archer at Osbornes, one gallon of Salt to be allowed for each white person.

The Gentlemen formerly appointed to deliver the salt at Manchester are to deliver the same at 6 sh. pr. Bushel to the poorest sort of People.

[SUBJECTS OF GREAT BRITAIN RESIDING IN VIRGINIA—same date.]

The Governor's Proclamation Issued in regard to Subjects of Great Britain residing within This Commonwealth, being read, the following persons were Called & Examined by the Court: James Lyle and Alex-

ander Banks acknowledged that they were factors for merchants in Great Britain, on Enquiry into their Conduct the Court are of opinion that they have uniformly manifested a friendly disposition towards this Commonwealth and that they ought not to be certified as persons who (by the said) Proclamation are obliged to depart this Commonwealth.

James Leitch being called it appeared to the Court that he is unwell & not able to attend, but that he is a warm friend to this Commonwealth.

William Rutherford, John Murchie, & David Pagan being called did not appear, but it appeared to the Court on Information of Mr. Banks and Mr. Donald that they are desirious of returning to Great Britain. Ordered that they be certified accordingly.

Robert Donald, Jun'r, being called it appeared to the Court that he was partner in trade with Patrick Hunter, of Scotland, at the time the Act of the Brittish parliament took place for restraining the trade of America, but that since that time the said Hunter's Share of Stock in his hands has been Seized and confiscated to the use of this State, by which he looks upon himself as not further concerned with the said Patrick Hunter. It also appeared to the Court on Enquiry that the said Robert Donald has uniformly manifested a friendly disposition towards this Commonwealth.

[CARE OF SOLDIER'S PROPERTY—same date.]

The Church Wardens of Manchester Parish are to take into their hands the estate of Patrick Carney, a soldier now in the Army, his wife being lately dead & sell it for his child.

March Court, 1777.

Thomas Carr having enlisted in the service of this Commonwealth, the church wardens of Manchester parish are ordered to bind out his three children, John, Ezekiel, & Richard.

April Court, 1777.

Ordered that £15 be paid towards maintaining the four youngest children of Robert Harris, a soldier in the service of this State.

February Court, 1778.

£6 to be paid to Mary, wife of Jacob Morris, a soldier in the Continental Army.

Suit by Grief Randolph, and Henry, Isham, John, William, Elizabeth, Anne and Maria Randolph, by the said Grief Randolph, their father and next friend plts. *vs.* John Archer, executor of Elizabeth Randolph, deceased, (for their legacies under her will).

BOOK REVIEWS.

THE RECORDS OF THE VIRGINIA COMPANY OF LONDON. THE COURT BOOK, FROM THE MANUSCRIPT IN THE LIBRARY OF CONGRESS. Edited with an Introduction and Bibliography by Susan Myra Kingsbury, A. M., Ph. D., Instructor in History and Economics, Simmons College. Preface by Herbert Levi Osgood, A. M., Ph. D., Professor of American History in Columbia University. Washington Government Printing Office, 1906, 2 Vols., pp. 636, 609. (Published by the Library of Congress.)

At last the long desired has been accomplished, and we have, in most fitting garb, that great fundamental source of American history—the records of the Virginia Company of London. Messrs. Putnam, Ford, and Osgood, Misses Kingsbury and Stinson, the Public Printer, and all concerned, have every reason to congratulate themselves, and will assuredly receive the hearty thanks of all students of our history for the admirable work they have done.

We are glad to claim for our Society a prominent part in the various efforts to make public the contents of these invaluable documents. Not only were the extracts made by Mr. Conway Robinson, and admirably edited by Mr. R. A. Brock, published in our series of Collections in 1889; but we likewise had made a complete copy of the Randolph Transcript of the records of the Company, in the possession of the Society, with a view to immediate publication. On account of the differences between the Randolph Transcript and that in the Library of Congress, this plan was abandoned. "The Virginia Company," 2 Vols., 1889, has, however, up to this time, been the chief source of information for students of the history of the Company.

There could hardly be anything more useless than a discussion of the historic value of these records. This is a common-place to every student of American history. Beginning on April 28, 1619, and ending June 7, 1624, these minutes and the accompanying papers have been quoted and referred to by every writer on the early Colonial period. To us in Virginia they are of intense interest.

Though the value of the records themselves needs no demonstration, too much emphasis cannot be laid on the admirable character of the publication before us.

Miss Kingsbury states (p. 79) that the Robinson Transcripts used by this Society in 1889 contain little more than half of the original records. The importance of having the whole of the proceedings of the Company, which have been preserved, is obvious, and this importance is enhanced

by Miss Kingsbury's introduction with its study of the history of the Company and of the records relating to it. Attention has already been called in this Magazine, to the importance of Miss Kingsbury's work.

It has been said above that no discussion of the value of these records is needed. This is, in a sense, entirely true; but the estimate with which Professor Osgood begins his preface is too striking a summary to be omitted. He says:

"The records, and especially the Court Book, of the Virginia Company of London, have long been regarded as among the most precious manuscript treasures which have found lodgment within the United States. Not only is their inherent value as a manuscript source very great, but a sentimental value attaches to them. This has a twofold origin. It arises, in the first place, from the fact that they belong at once to the romantic period of our beginnings and to the heroic period of England's great struggle against absolutism. The men who figured in the pages of this record were at the same time playing their parts, on the one side or the other, in the controversies which were beginning with James I, and which were to broaden and deepen under his son until England was plunged into the agonies of the great Civil war. They were contemporaries, and in not a few cases associates of Coke and Eliot and Hampden, of Bacon and Wentworth and Buckingham. The names of Sandys and the Ferrars stand high on the roll of patriots by which the first generation of the Stewart period is distinguished. The same men also, together with a long list of the merchants and nobles of the time, were deeply interested in discovery and colonization. As successors of Gilbert and Raleigh they were planting a new England beyond the Atlantic. About this enterprise still clung some of the spirit and memories of the Elizabethan seamen and their early struggles with Spain. In the days when Smythe and Sandys were active the prosaic age of English colonization had not yet begun. The glamour of romance, of the heroic, attaches to the founding of Virginia and Plymouth, and makes them fit subjects for the poet. By the time when the other colonies were founded the glow and inspiration had grown faint or wholly disappeared. In the Records of the Virginia Company some reflection may be seen of this early zeal of the plans and ideals to which it gave rise. Even their pages, cast in a style which is quite unusual in records of this nature, make one realize that he is in the company of noble and earnest spirits, men who were conscious that they were engaged in a great enterprise. The Court Book itself, now that it is printed in full, will be found to be a worthy monument of English speech, as it was used at the close of the Elizabethan epoch and by contemporaries of Shakespeare and Bacon."

The glamour of which Professor Osgood speaks will be felt by every

earnest student, who, especially if a Virginian, will find these records, the minutes of a commercial company though they be, of absorbing interest The very names of Southampton, Ferrar, Sandys and others have to him an inspiring sound. To one at all familiar with our early history it is impossible to glance at any page of the beautiful volumes before us without finding something of information or interesting suggestion. Opening for instance the first volume, entirely at random, at pages 500–501, we note the names of Nicholas Ferrar, George Sandys, John Bland, Jadwyn, Woodliffe and Gookin—all names which have meaning for us. And on the same pages are orders in regard to the glass works near Jamestown, the contest between Bargrave and Martin, and Gookin's contract to carry cattle to Virginia.

While the "Virginia Company" published by this Society will always be valuable on account of its introduction and notes, those who are familiar with that work will be surprised to find how much of the records was omitted by Mr. Robinson. "The part of the court book which reveals most in regard to internal organization, commercial activity and inner life of the Company is not included in those abstracts. Thus such data as that which concerns the trouble with Spain over the *Treasurer*, the suit with William Wye, the accusations against Argall, the Pierce patent, and many other private grants are not included."

The Records are published in two large quarto volumes, attractively bound in gray, with the seal of the Company in gilt on the sides, and contain more than 1300 pages. They are printed on excellent paper, in large and handsome type, with a special font for abbrevations, erasures, etc. There are four fac-similes illustrating the writing of the various copyists.

It is regretted that the praise which can be given to all other parts of the work cannot be accorded unreservedly to the index. It is difficult to see what plan was in view in its compilation.

There is no attempt (as there should certainly have been) to give in the index a reference to every appearance of every name. In hundreds of cases this has not been done. For instance, there appears to be not a single reference to the names of these present at the first meeting, and some of them, Sir Thomas Wilford for example, do not appear in the index at all. There is no question that the student should have been able to trace every mention of these fathers of American colonization.

Testing the index, we find on the second page of the proceedings mention of a suspected deer stealer, whom the King desired to have sent to Virginia. This opens up an interesting subject, but neither "convict" nor "felon" appear in the index.

On the page next succeeding is an important motion of Sandys relative to Sir Thomas Smythe; but no reference to this appears.

The Records, of course, contain frequent entries in regard to the important office of treasurer, but the index has but one reference

One desiring to know something of Virginia's infant industries, will look, but look in vain, in the index for "iron," "salt," and "glass." Each of these was a subject for frequent consideration by the Company, and iron and glass works were established in the colony.

Taking up errors of another sort, we find that Vol. I, p. 31, the reference given after *A True Declaration of the Estate of the Colony*, is incorrect, 32 being the correct page. And, if the publications beginning with *True* were to be grouped in the index, why omit Hamor's *True Relation*.

Neither under "charter," nor "letters patent" is there any notice of the revocation, though of course there is an account of this in the introduction.

In spite of its faults, however, the index may be considered fairly good.

While we should like to see the Records of the Virginia Company of London in the hands of every student of history in the United States, we could also wish that the orders from Virginia alone would be so large that they would exhaust this edition.

It is announced by the Librarian of Congress that the edition is limited. The price is fixed at the wonderfully low sum of $4 00 the set, payable in drafts or postal orders to the Superintendent of Documents, Government Printing Office, Washington.

JOURNAL OF THE HOUSE OF BURGESSES OF VIRGINIA, 1770–1772. Edited by John Pendleton Kennedy, Richmond, Virginia, M. C. M. VI. Library Board, Virginia State Library, pp xxxv, 333.

The second volume of the series of journals of the House of Burgesses of Virginia, which is being issued by the State Library Board, is presented in the same beautiful form as its predecessor. The sessions of Assembly during the years named were not as momentous as those which immediately succeeded and preceded them, but are full of matter of interest to the student of our history.

The preface outlines, with many illustrative documents, the chief subjects which interested the people and their representatives. These were trade with the Indians, the extension of the western boundary of the colony, the treaty with the Cherokees at Lochaber, S. C, the organization of the Ohio or Walpole Company, the Association of 1770, and the prospect for an American Episcopate

The contest over the question of a bishop for America was a bitter one, but the House of Burgesses took no part in it except to adopt a resolution opposing the scheme.

The real and vital matter in which people and Assembly were interested was the effort to prevent the stopping or checking the west-

ward growth of the colony by too contracted boundaries. This subject is properly and very fully treated in the preface, and a valuable map illustrates the lands acquired by various treaties with the Indians.

The journals also treat largely of matters of less general importance and historic note; but of perhaps more value to the student of Colonial conditions and institutions. The Church, tobacco and vines, towns, roads and fences, courts and vestries, French and Indian war soldiers, the militia, elections, the docking of entails, and many other subjects relating to the life of the time, received frequent mention. Of especial interest are the full reports of evidence given in several contested election cases.

In 1771 appear the proceedings in regard to the statue of Lord Botetourt (now in the campus of William and Mary College), Virginia's first tribute of this nature to one of her distinguished men. Under date of February 12, 1772, appears the first report of the directors of Virginia's first asylum for the insane. It is interesting to note that it then, as now, bore the name of hospital, and did not, as afterwards for many years, have the objectionable title of lunatic asylum. At the same session of Assembly was presented the first bill for a canal. Though politically calmer than other years shortly preceding the Revolution, the period covered by these journals was evidently one of stirring activity and enterprise.

All students of Virginia history are again indebted to the State Libary for an important addition to the fundamental material for correct knowledge of our past.

The work of editing is well done, and the same may be said of the index as a whole, though it should be fuller in regard to topics For instance, there is only one reference to "Elections," while, as has been stated, there is much very valuable information on the subject in various parts of the Journals. And, though there is much matter in the text in regard to vestries and parishes, there is only one reference to "Vestry" and two to "Parish."

The Library is rapidly receiving copies of unpublished journals from England, and it is understood that the next volume to be printed is rapidly advancing towards readiness for the press The period between 1764 and 1770 is one of intense interest, and the fact that several of the journals during this period have never been in print, will add to the anxiety of historical students to have the forthcoming volumes.

SOCIETY OF COLONIAL WARS IN THE STATE OF MARYLAND. Genealogies of the Members and Record of Services of Ancestors. Edited for the Society by Christopher Johnston, M. A., M. D., Ph. D., Baltimore, 1905, pp. 160.

In this large and handsome volume the Maryland Society of Colonial Wars has not only preserved a full record of the ancestry of its mem-

bers, but done a most excellent work for Maryland genealogy. The chart pedigrees prepared under the able editorial charge of Dr. Johnston, contain a great amount of information in regard to families in Maryland, Virginia, and elsewhere in the United States. Especially is there much material, hitherto unpublished, in regard to names on the Eastern Shore of Virginia.

It is needless to say anything in connection of Dr. Johnston's genealogical work. In a few instances, however, where he had to rely on the statements of others, there are errors. In the pedigree on page 37 it is certainly incorrect to state that Samuel Clayton, of Caroline county, Va., was a son of John Clayton, the Attorney-General. The latter's son, John Clayton the colonist, left a letter, which states that his father had three sons, John, Dr. Thomas, and Arthur.

FRANCIS ADRIAN VAN DER KEMP, 1752-1829. An Autobiography. Together with Extracts from his Correspondence. Edited with a Historical Sketch by Helen Lincklaen Fairchild. New York and London, 1903, pp. 230, illustrated.

TRAVELS IN THE YEARS 1791 AND 1792 in Pennsylvania, New York and Vermont. Journals of John Lincklaen, Agent of the Holland Land Company. With Biographical Sketch and Notes. [Edited by Mrs. Fairchild.] New York and London, 1897, pp. 162. Illustrated.

Mrs. Fairchild has presented in two handsome little volumes much information regarding the lives and travels of two interesting men. Mr. Van Der Kemp while in his native Holland rendered essential services to the young and feeble United States, and afterwards came to reside in this country

The travels of John Lincklaen illustrate conditions in New York, Pennsylvania and Vermont soon after the Revolutionary War. The editor has done her work in the most thorough and careful way, and has made a real contribution to history.

THE PUBLICATIONS OF THE HUGUENOT SOCIETY OF LONDON. Founded A. D. MDCCCLXXXV. Volume XVI. The Registers of the French Church of Threadneedle Street, London, 1637-1685. Vol. III. Edited by T. C. Colyer-Fergusson. Aberdeen, MCMVI, pp. 509.

This is the latest publication in the great series with which the Huguenot Society of London is illustrating the history of the Huguenots. For intrinsic value of contents, scholarly editing and good book-making the issues of the Huguenot Society deserve the highest praise, and should be in the hands of every person of Huguenot descent. The interest of these publications is, however, by no means confined to the descendants of French Protestants. The exiled members of that faith have played too important a part in the world for their records to be of mere

genealogical interest. The volume contains marriages and baptisms, and has a perfect index. In the index may be noted many names familiar in Virginia.

HISTORICAL COLLECTIONS RELATING TO THE POTTS FAMILY IN GREAT BRITAIN AND AMERICA. With a Historic Genealogy of the Descendants of David Potts, an Early Anglo-Welsh Settler of Pennsylania. Including Contributions by the late William John Potts. Compiled by Thomas Maxwell Potts, Canansburg, Pa., 1901. pp. 735.

This handsome volume contains very complete collections and genealogies of the various families named Pott and Potts in the Old and New Worlds. A number of Virginia families are included, among them that of Governor John Pott.

The work throughout seems to be very carefully done. and will be of great interest to all of the name. There are many illustrations and chart pedigrees and a very good index.

MISSOURI HISTORICAL SOCIETY COLLECTIONS, July, 1906, Vol. II, No. 6. Published Quarterly by the Society, 1600 Locust St., St. Louis, Mo., pp. 89.

MISSOURI HISTORICAL REVIEW, October, 1906, Vol. I, No. 1. Published by the State Historical Society, Columbia, Mo., pp. 107.

These attractive quarterlies give evidence of the increased interest in historical work in Missouri. The Missouri Historical Society announces that hereafter its collections will appear regularly as a quarterly. The contents of the present number are (1) Oliver Dwight Filley, by Hon. C. P. Johnson; (2) Emigration from the French West Indies in 1848, by Edward de Lauréal: (3) French Emigrés from Guadeloupe, by Mrs. Adèle Hornsby; (4) John Sappington Marmaduke, by John F. Lee, Esq.; (5) Documents relating to the Attack upon St. Louis, 1780: (6) Missouri—Santa Fe Trade—Bicknell's Journal; (7) The Case of Pouré vs. Choteau, by Walter B. Douglas; (8) Notes.

The Review, published by the State Historical Society at Columbia, begins with an editorial salutatory, which is followed by the following papers: (1) The Romance of Western History by Prof. E. G. Bourne; (2) Thomas Hart Benton, by Judge T. J. C. Fagg; (3) Early Settlements in Missouri, by Prof. E. M. Violette; (4) The Beginnings of Missouri Legislation, by Prof. Isador Loeb; (5) The Lincoln, Hanks and Boone Families, by H. E. Robinson; (6) Bibliography of Missouri State Publications, by F. A. Sampson; (7) Bibliography of State Historical Society of Missouri; (8) Local Historical Societies; (9) Notes.

As will be seen each of these publications has an interesting table of contents. Best wishes are tendered both by all students of American history.

PUBLICATIONS OF THE VIRGINIA HISTORICAL SOCIETY.

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"Collections of the Virginia Historical Society. New Series. Edited by R. A. Brock, Corresponding Secretary and Librarian of the Society, (Seal) Richmond, Va. Published by the Society." Eleven annual volumes, uniform. 8vo., cloth, issued 1882–92, carefully indexed, as follows:

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CATALOGUE OF THE MANUSCRIPTS in the Collection of the Virginia Historical Society and also of Some Printed Papers. Compiled by order of the Executive Committee. Supplement to the *Virginia Magazine of History and Biography*. Richmond: Wm. Ellis Jones, Printer. 1901.

Paper, 120 pp. Price, $1.00. Sent free to members and subscribers on receipt of 10 cents for postage, &c.

AN ABRIDGMENT OF THE LAWS OF VIRGINIA. Compiled in 1694. From the origina manuscripts in the collection of the Virginia H storical Society. 80 pp., paper. Richmond, 1903.

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VIRGINIA MAGAZINE OF HISTORY AND BIOGRAPHY.

The Virginia Magazine of History and Biography, Edited to October 1st, 1898, by Philip A. Bruce, and since that date by William G. Stanard, Corresponding Secretary and Librarian of the Society, (Seal). Published Quarterly by the Virginia Historical Society, Richmond, Va. House of the Society, No. 707 East Franklin St.

VOLUME I—Octavo, pp. 484-viii-xxvi-xxxii.

Contains cut of the Society's Building, accounts of the proceedings and transactions of the Society for the year 1893, and many exceedingly valuable, original historical documents and papers which have never before appeared in print. Among others may be mentioned, Discourse of the London Company on its administration of Virginia affairs, 1607-1624; Abstracts of Colonial Patents in the Register of the Virginia Land Office, beginning in 1624, with full genealogical notes and an extended Genealogy of the Claiborne Family; The Mutiny in Virginia in 1635; Samuel Matthew's Letter and Sir John Harvey's Declaration; Speech of Governor Berkeley and Declaration of the Assembly with reference to the change of Government in England and the passage of the First Navigation Act of 1651; Petition of the Planters of Virginia and Maryland in opposition to the Navigation Act of 1661 Bacon's Rebellion, 1676; His three proclamations, Letters of Sherwood and Ludwell, Proposals of Smith and Ludwell, and Thomas Bacon's Petition; Letters of William Fitzhugh (1650-1701), a Leading Lawyer and Planter of Virginia, with a genealogical account of the Fitzhughs in England; Lists of Public Officers in the various Counties in Virginia late in the 17th and early in the 18th centuries; Roster of Soldiers in the French and Indian Wars under Colonel Washington; Officers, Seamen and Marines in the Virginia Navy of the Revolution; Roll of the 4th Virginia Regiment in the Revolution; Diary of Captain John Davis of the Pennsylvania Line in the Yorktown Campaign; General George Rogers Clark,—Roll of the Illinois and Crockett's Regiments and the Expedition to Vincennes; Department of "Historical Notes and Queries." containing contributions by Hon. Wm. Wirt Henry, and many other items of value; Department of "Book Reviews;" A full Index. **5 00**

VOLUME II—Octavo, pp. 482-ii-xxiv.

Contains a full account of the proceedings and transactions of the Society for the year 1894, and the following list of articles copied from the original documents: Report of Governor and Council on the Condition of Affairs in Virginia in 1626; Abstracts of Colonial Patents in the Register of the Virginia Land Office. with full genealogical notes and extended enealogies of the Fleet, Robins and Thoroughgood Families; Reports of Grievances by the Counties of Virginia after the suppression of Bacon's Insurrection; A full history of the First Legislative Assembly ever held in America (that in 1619 at Jamestown), written by Hon. Wm. Wirt Henry; The concluding list of Virginia Soldiers engaged in the French and Indian Wars; The opening lists of the Virginia Officers and Men in the Continental Line, compiled from official sources; A valuable account of the Indian Wars in Augusta County, by Mr. Joseph A Waddell, with the lists of the killed and wounded; Instructions to Governor Yeardley in 1618 and 1626, and to Governor Berkelev in 1641; Letters of William Fitzhugh continued, with full genealogical notes; The Will of William Fitzhugh; A complete List of Public Officers in Virginia in 1702 and 1714; Valuable account of Horse Racing in Virginia, by Mr. Wm. G. Stanard; The first instalment of an article on Robert Beverley and his Descendants; Wills of Richard Kemp and Rev. John Lawrence, both bearing the date of the 17th century; Short Biographies of all the members of the Virginia Historical Society who died in the course of 1894; An elaborate Genealogy of the Flournoy Family, throwing light on the Huguenot Emigration; Department of His-

torical Notes and Queries, containing many valuable short historical papers and also Genealogical contributions, among which the Carr and Landon Genealogies are of special interest; Department of Book Reviews, containing critical articles by well known historical scholars. Volume II, like Volume I, has been thoroughly indexed. 5 00

VOLUME III—Octavo, pp. 460-ii-xxviii.

Contains a full account of the proceedings of the Society for the year 1895, and the following list of articles copied from original documents: Letters of William Fitzhugh continued; Instructions to Berkeley, 1662; Virginia under Governors Harvey and Gooch; Causes of Discontent leading to the Insurrection of 1666 under Bacon; Will of Benjamin Harrison the Elder; Culpeper's Report on Virginia in 1683; Defense of Col. Edward Hill; A series of Colonial letters written by William Byrd, Jr., Thomas Ludwell, Robert Carter, Richard Lee, and Sir John Randolph; Decisions of the General Court of Virginia, 1626-1628, first instalment; Indictment of Governor Nicholson by the leading members of his Council; Abstracts of Virginia Land Patents, extending to 1635, with full genealogical notes; A History of Robert Beverley and his Descendants, with interesting Wills and new matter obtained from England; Genealogies of the Flournoy, Cocke, Carr, Todd and Chappell Families; Voluminous Historical Notes and Queries of extraordinary original value, relating to a great variety of subjects; Department of Book Reviews, containing articles from the pens of well known historical scholars. Volume III, like the preceding Volumes, has a full index. 5 00

VOLUME IV—Octavo, pp 492-i-xxiii.

Contains the following general list of Contents: A Marriage Agreement between John Custis and his wife; A Perswasive to Towns and Cohabitation by Rev. Francis Mackemie 1705; Abstracts of Virginia Land Patents for 1635-6; Army Supplies in the Revolution, Series of original letters by Judge Innes; Attacks by the Dutch on Virginia Fleet, 1667; Boundary Line Proceedings, for Virginia and North Carolina 1710; Charges against Spotswood by House of Burgess 1719; Council Proceedings, 1716-1717; Decisions of Virginia General Court, 1626-28 Continued; Defence of Colonel Edward Hill Continued Depositions of Revolutionary Soldiers from County records; Early Spotsylvania Marriage Licenses; Genealogy—Cocke, Flournoy, Trabue, Jones, and Rootes Families; Historical Notes and Queries; A full list of House of Burgesses, 1766 to 1775; Instructions to Governor Francis Nicholson; Letter and Proclamation of Argall; Letters of William Fitzhugh; Narrative of Bacon's Rebellion by the English Commissioners; full abstracts of Northampton County Records in 17th Century; Ordeal of Touch in Colonial Virginia; Patent of Auditor and Surveyor-General; Prince George County Records with much information as to its families; Proceedings of Visitors of William and Mary College, 1716; A list of Shareholders in London Company, 1783; also of Slave Owners in Spotsylvania County, 1783; Virginia Tobacco in Russia in 17th Century. Volume IV has a full index. 5 00

VOLUME V—Octavo, pp. 472-i-xxiii.

Contains the following general list of Contents: Abstracts of Virginia Land Patents, 1636; and Patents and Grants, 1769; Rappahannock and Isle of Wight Wills, 17th Century; Government of Virginia, 1666; Bacon's Men in Surry; and List of Persons Suffering by the Rebellion; Boundary Line Proceedings, 1710; Carter Papers; Case of Anthony Penton; Colonial and Revolutionary Letters, Miscellaneous; Early Episcopacy in Accomac; Depositions of Continental Soldiers; Families of Lower Norfolk and Princess Anne Counties; Genealogy of the Cocke, Godwin, Walke, Moseley, Markham, Carr, Hughes, Winston, Calvert, Parker and Brockenbrough Families; General Court Decisions, 1640, 1641, 1666; Memoranda Relating to the House of Burgesses, 1685-91; Journal of John Barnwell in Yamassee War; Letters of Lafayette in Yorktown Campaign; Letters of William Fitzhugh; Letters to Thomas Adams, 1769-71; Public Officers, 1781; Northampton County Records, 17th Century; List, Oath and Duties of Viewers of Tobacco Crop, 1639; Petition of John Mercer Respecting Marboro Town; Price Lists and Diary of Colonel Fleming, 1788-98; Abstract of Title to Greenspring; Tithables of Lancaster County, 17th Century; The Meherrin Indians; The Trial of Criminal Cases in 18th Century. Volume V has a full index 5 00

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Contains the following general list of principal Contents: The Acadians in Virginia; Letters to Thomas Adams; Journal of John Barnwell; Vindication of Sir William Berkeley; Will of Mrs. Mary Willing Byrd; Inventory of Robert Carter; Virginia Society of the Cincinnati; Epitaphs at Brandon; Trustees of Hampden-Sidney College; Jacobitism in Virginia; Abstracts of Virginia Land Patents; Letters of Lafayette; A New Clue to the Lee Ancestry, Letters of General Henry Lee; Sir Thomas Smythe's Reply to Bargrave; Virginia in 1623, 1623-4, and 1771; Virginia Borrowing from Spain; The Virginia Company and the House of Commons; Virginia Militia in the Revolution; Washington's Capitulation at Fort Necessity; Election of Washington (Poll List), 1758; Burning of William and Mary College, 1705; Reminiscences of Western Virginia, 1770-90, &c., &c., &c., with full index 5 00

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ginia, 1650–1711; John Paul Jones, as a Citizen of Virginia; Abstracts of Virginia Land Patents; The Case of Captain John Martin; Papers Relating to the Administration of Governor Nicholson and to the Founding of William and Mary College; Richmond During the War of 1812; Virginia Census of 1624–5: Virginia in 1624–30—Abstracts and Copies rom the English Public Records; Virginia Game and Field Sports, 1739; Virginia Militia in the Revolution; Unpublished Letters of Washington; Wills, Genealogies, Notes and Queries, &c., with a full index. **5 00**

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Contains the following general table of principal Contents: Proceedings of the Virginia Committee of Correspondence 1759–70; Vestry Book of King William Parish (Huguenot), 1707–1750; The Site of Old "James Towne," 1607–1698; Moravian Diaries of Travel Through Virginia, 1747 &c.; Virginia Gleanings in England (wills); Extracts from Virginia County Records; Letters of Jefferson &c., in McHenry Papers; Virginia Militia in the Revolution; The Early Westward Movement of Virginia, 1722–34, as shown by the Virginia Council Journals; Virginia in 1619 abstracts and copies from English Public Record Office; Virginia Legislative Papers 1773; Address of Council, 1713, and Resolutions of Burgesses, 1712; Wills, Genealogies Notes and Queries, Book Reviews, with several illustrations, plans, fac similes, &c., and a full index. **5 00**

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Member of Virginia Historical Society,
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THE VIRGINIA MAGAZINE

OF

HISTORY AND BIOGRAPHY.

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THE

VIRGINIA MAGAZINE

OF

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VOL. XIV. APRIL, 1907. No. 4.

JOURNALS OF THE COUNCIL OF VIRGINIA IN EXECUTIVE SESSIONS, 1737-1763.

(From the Originals in the Virginia State Archives.)

(CONTINUED)

At a Council held at the Capitol the 5th day of May, 1739.

PRESENT:

The Gov'r & All the Council except Colo. Diggs.

The following Warrants upon his Majesty's Revenue of 2s. p. hhd were signed:

For half a Years Salary The Governor .	£1000.	—.	—
For half a Years Salary the Council .	300.	—.	—
To the Judges & Officers of the Oyer & Terminer Court	100.	—.	—
To half a Years Salary to the Auditor .	50.	—.	—
To half a Years Salary to the Solicitor of the Virg'a Affairs	50.	—.	—
To half a Years Salary to the Attorney General	35.	—.	—
To half a Years Salary to the Clerk of the Council	50.	—.	—

To the Ministers for Attend'g one Gen'l Assembly & one Gen'l Court . .	22.	—.	—
For half a Years Salary to the Armourer	6.	—.	—
To half a Years Salary To the Gunners of the Batteries	23.	10.	—
To Repairs done to the Governor's house	50.	7.	4
To the Contingent Charges . . .	607.	18.	1
To half a Years Salary to the Adjutant	75.	—.	—

The following Warrants on his Majestys Revenue of Quit Rents were also signed :

To Mr. Com'y Blair	£50.	—.	—
To Mr. Att'y Gen'l	35.	—.	—

The Receiver General made Oath to his Acc't of the Revenue of 2s. p. hhd.

Samuel Earle & John Cobourne are appointed Inspectors at Falmouth Warehouse.

A Petit'n of Sundry Inhabitants on the Rivers Nottoway & black Water for appointing a Collector of the said Rivers was read.

The 5000 Acres pet'd for by Mr. Stith to be granted to him, altho' it should interfere with Tshiffeli's Grant.

June 13th 1739.

Ch's Lewis, Gent, humbly represent'g to this Board That divers Years ago he had obt'd an Ord'r for a cert'n Tr. of L'd in the Co'ty of Goochl'd but was prevented Survey'g the same by reason of a form'r Entry made by Colo. Ch's Chiswell That he afterw'ds ent'd for the like Qu'ty of L'd with ye Surv'r of ye s'd Co'ty wh'ch land was then out of ye pretent's of ye s'd Chiswell & unclaimed by any oth'r pers'n. But since his s'd Ent'y Thos. Chew of the Co'ty of Spots'a & R. Rose Cl'k by virtue of a post'r Ord'r have procured a Survey of the same L'd & int'd to include the same in one pat't with a larger Tract grant'd to them or one of y'm in prejudice of the Grant made to him ye s'd Lewis & pray'g Relief therein On Cons'n were of It is ye Op'n of the Coun'l & accord'ly Ord'd that ye Surv'r of Goochl'd Co'ty do with all Conv't Speed lay of ye L'd ent'd by ye s'd Ch's Lewis or so much y'rof as shall be f'd within the

Survey made by ye s'd Chew or Rose & to return ye plan & Survey thereof to ye Secr'ys Office, To the End the s'd Lewis may have a pat't for ye same accord'g to ye priority of his Entry. And it is furth'r Ord'd y't no pat't issue for any L'd in the s'd Co'ty for ye s'd Chew or Rose until the pat'rs pretent's accord'g to his Entry be first Satisfied.

W. R.

At a Council held at the Capitol the 13th of June, 1739.

PRESENT:

The Governor

Mr. Commissary	John Custis
Wm. Byrd	Wm. Randolph
John Robinson	John Tayloe
Jno. Carter	P. Lightfoot
Jno. Grymes	Thos. Lee Esq'rs.
Wm. Dandridge	

That ye sheriffs who have not accompted for the Q'rents do attend the officers of the Revenue before the last thursday in July to pass their Acco'ts.

On ye pet'n of John Wishart Ord'd that a Patent be granted him for 215 Acres of land in Princess Anne paying ye usual Rights It not appearing that ye land was before patented.

David Mills v Henry & Robinson—On hearing the partys it appearing that W Robinson hath a patent for the land in controversy. Ord'd that ye s'd dispute be left to ye determination.

Mills ag't Carr it appearing that Carr's land was surveyd by consent of Mills, It is ord'd that the s'd Caveat be dissolved the s'd Carr paying Costs £6.

Hoggot v Dabbs & Walker Caveat dismist the Dabbs ag't Gray & his wife no appear. defen't.

Jno. Chew & Margaret his wife wife pet'n. Ord'd that they have a new patent paying R'ts for the Surplus land.

Curle v Langley Ord'd that no patent be granted to Curle on ye s'd Escheat.

Chas. Lewis ag't Chew & Rose, It is ye opinion of the Council that the pet'r ought to have his land surveyed according to his Entrys.

The Caveat ent'd by Jno Simons ag't Rich'd Mullins the s'd Simons giving it under his hand that he relinq'd his * * * upon the Caveat is dismist and ord'd that ye s'd Simons pay

* * * * * * *

Powell ag't Mountfort for an Esch't patent dism't Powell paying costs £4:10:—

Hudson ag't ffra's West Ord'd that ye Esch't be set aside.

Rich'd Wood v Abr. Wormack dism't & ord'd that he pay ye costs.

Dabbs v Hoggat—Ord'd that the Surveyor of Goochl'd divide the 6000 acres according to quantity and quality. And that Debbs have his choice.

On ye pet'n of Jno. Lewis Esq'r Patton Thos. * * * Andrew Lewis & Edw'd Barradall, Ord'd that thirty thous'd Acres be granted them on Calopa [?] River.

On reading ye pet'n of the Vestry of St. Margarets Parrish Ordered that the partys be heard on the 27th day of October Court.

Mills ag't Henry Caveat, On hearing the p'tys It is Ord'd that Mills have * * * the 6000 acres or so much thereof as Mr. Henry hath taken for him to * * * in R'ts in a month or else to be void.

Fendall Southerl'ds pet'n for land Ord'd that he have a patent according to James Taylor's Survey.

Curtis v Willis Ord'r for Curtis's having ye land.

June ye 14th, 1739.

PRESENT

As yesterday.

Bartlet Andersons pet'n ref'd to Mr. Att'y or Mr. Nicolas.

Wm. Mayo hath leave to imploy Ambrose Smith as his Assistant Surveyor.

Wm. Bartlet's pet'n Ord'd that the pet'r give notice to Hugh Sanders to cause the Line of his patent to run out & concluded or to appear before this Board to show cause.

A Letter from Geo: Clark Esq'r Gov'r of N. York dated 29 April, 1739.

Wm. Mallory appointed Inspector at Hampton in the room of Mr. Tabb.

Thos. Langhly in ye absence of Jno. Wortham at Urbanna.

Benja. Winslow is appointed Sherif of Essex for the succeeding year.

Wharton Ramsdon for	Westmoreland
Caroline	Head Lynch
P. Ann	John Wishart
K. Wm.	Matt Moury
Middlesex	Ralph Wormeley
Accomac	Jas. Wishart
N. Kent	Jno. Bacon
N'hampton	Joshua Michell
P. Wm.	ffra's Aubrey
Amelia	Chas. Irby
Warwick	Matt Wills
Cha. City	Jno. W'ms
P. Geo.	Wm. Stark
Henrico	Jno. Nash
Stafford	———
Surry	R'd Cocke
Goochl'd	Geo. Carington
Gloster	Henry Whiting
Orange	Rob't Green
K. George	Josiah Murdock
Spotsylv'a	Larkin Chew
Hannover	Jas. Skelton

Ord'd that the Clk write to ye Inspectors at Appomattox & acq'ting them of the Compl'ts agt. them & desiring their Answer.

Ord'd that he write to ye Justices of Lancaster to know their objections to ye removal of their Court house.

Stephen Hughes ag't Drury Stith Ord'd that Hews be at liberty to lodge R'ts at Sept'r Court & he have his land or so much as is not already surveyed for others & if he doth not that ye other persons who have made Entrys have it.

Ord'd that ye Assembly be prorogued till the —— of Nov'r.

On reading at this Board the Petition of divers of the Vestry

Men and Inhabitants of the Parish of St. Margaret in the Counties of King William and Caroline complaining of an Irregular Order of Vestry made in the said Parish the 24th of April last by seven Members of the s'd Vestry making Void a former Order of the 2d of October preceeding where ten Vestry Men were present, for the Building a Church in the said Parish, whereby the Inhabitants of the same are likely to be greatly oppressed, It is Ordered by the Governor with the Advice of the Council That the several Parties do Attend this Board on the 10th day of the next Gen'l Court in Order to a full hearing of the several Allegations And in the mean time that all further proceedings towards the Erecting either of the Churches proposed be suspended of which the Church Wardens & Vestry Men of the said Parish are hereby required to take Notice & to Conform themselves accordingly.

Several Petitions for Land were read & granted as follows Viz:

To Charles Fisher 2000 Acres on Staunton River high up Roanoke River begin'g on Otter* Creek on the south side & running on both sides Staunton River.

To Wm. Marable 2000 Acres in Goochland County begining at a White Oak marked W M on Hardway River about a Mile above Benj. Woodsons upper Entry & runing thence up the River & on both sides thereof to compleat that Quantity.

To Wm. Eppes 800 Acres in Prince George County begining at his own Corner on the South side of Joseph's Swamp thence along his own Line to a place Called Cotten's Branch to the Fork Thence up the South Fork to Rich'd Carliles Line & his own Line including two former Surveys One of one hundred & the other of one hundred & seventy two Acres & to have an Inclusive Patent for the Whole.

To Edw'd Clanton 1000 Acres of Land in Brunswick County joining on the Lands of Henry Beddingfield including 760 Acres Already patented, & to have an Inclusive patent for the whole.

---

*Otter creek or river rises in the Blue Ridge in the present Bedford county, and flows through that county and the present Campbell into the Staunton.

To Thomas Harding 1300 on both sides falling Creek of Buffalo River joining Randolphs Lines.

To Edward Thweat, Hon. Thweat & Jno. Mitchell 4000 Acres of Land in Brunswick County joining on Rich'd Stokes on both sides of Creek and on the Branches of Dry Creek in one or more Surveys.

To John Bagley 900 Acres on the south side Bush River joining on the Line of Haskin & Randolph in Amelia County.

To Wm. Winch & Jno. Ganaway 6000 Acres begining at a White Oak on Vaughan's Creek Amelia County marked I C thence up the said Creek & over the Ridges to the Branches of Cubbs Creek.

To Thom's Dickson 1000 Acres including a former Survey of 400 Acres begining at a Corner Red Oak of Jno. Winfeilds & his own lines thence along Winfeilds Line to a Branch Thence down a Branch to a blazed Poplar Thence to a blazed White Oak in Col. Rob't Munford's Line where Martha Alex'r lives thence along his line to the Church Road & round to the begining.

To Jno. Goodwyn 800 Acres in Surry County begining on Wm. Sanders' Line on Pidgeon Creek Swamp on the North side thereof thence up the said Swamp to Benj. Harrison's Line taking all the Waste Lands between the said Lines for Compliment including his plantation where he now lives being a Survey of 425 Acres & to have an Inclusive Patent.

To the Rev'd John Ormsbey two thousand Acres of Land, the one part upon the first Fork of the first Fork of Little Roanoke als licking Hole begining at the said Fork the other begin'g at the North West Corner of Carghills second uppermost Survey on Staunton River runing downwards along & of from that & the adjoining Lines for Complem't.

July the 31st, 1739.

PRESENT:

The Governor

Cole Digges — John Custis

Jno. Grymes — P. Lightfoot Esq'rs.

On reading a letter from the Gov'r of N. York dated ye 14th

instant. It is ye opinion of this Board that notice be given to the Frontier Inhab'ts to be on their Guard and a Message sent over-land to ye Cattawbaws & Cherokees.

The Acco't of his Ma'tys Revenue of Q'trents to this time being ex'd by the Aud'r & sworn to by the Rec'r Gen'l was certified & passed by the Gov'r in Council.

A Mem'l of J. Grymes Esq'r to ye Lo'ps of the Treasury read & approved & ord'd to be sent to Mr. Leheup to be presented to their Lo'ds.

Ord'd that a new Com'n of the peace issue for Northumberl'd & that Travers Colston Sam'l Blackburn & Rob't Jones be added to ye Com'n.

ffor Charles City & Hardaman to be left out & Sam'l Harwood junior of Wyanoke & Edw'd Epes, Benskin Marston & David Stokes added.

Jno. Tabb appointed Inspector at Hampton in the room of Mr. Kerby dec'd.

Hudson Allen app'td Sherif of James City.

Matthew Yuil Sherif of Northumber'ld for this curr't year.

Jno. Hooe Sherif for Stafford.

The Gov'r communicated a letter from the Cattawbaws discovering that they had found out some of their Nation murdered the English on Cohoagarooton* last year And that they had put them all to death for it, Ord'd that it be our Instruction to ye person to go to them to acq't them that the Gov'r takes it kindly as an effect of their friendship.

Oct'r 23, 1739.

PR'SENT:

The Govern'r.

Jas. Blair	John Grymes
Wm. Bird	John Custis
Cole Diggs	John Tailoe
Jno. Robinson	Phi. Lightfoot &
John Carter	Thos. Lee, Esq'rs.

Benja. Needler sworn Clerk of the Council.

---

* See *ante*, page 118.

His Maj'ties Warrant under his Sign Manual for authorizing, & impowering the Govern'r to grant Commissions of Marque & Reprisal was read.*

And also a Letter from the Duke of Newcastle Dated at White Hall June 15th, 1739.

Also a L'r from S'r Yelverton Peyton.†

The Govern'r desired to Issue a Proclamation That no Sea Man belonging to his Maj'ties Ships of War be suffered to pass w'th'out a Certificate from their respective Comanders.

The Petition of William Eaton was read.

Ord'd that a Comission Issue appointing Joseph Strother Sherif of King George.

Aug: Moore jun'r Sher. of King William.

James Kemp Sher. of Princess Anne.

Henry Anderson Coron'r for Amelia.

Nathaniel Newton Coron'r of Princess Anne.

Mr. William Gooch‡ appointed Naval Officer of York River.

Samuel Givens 1000 Acres in Orange paying rights.

James Carthy the same.

Oct'r 25, 1739.

PR'SENT:

The Govern'r.

Jas. Blair	John Carter
Wm. Byrd	John Custis
Cole Diggs	John Tayloe
Jno. Robinson	Phi. Lightfoot &
John Grymes	Thos. Lee, Esq'rs.

Colo. Bird's Petition read & 12 Months time allowed him.

His Majesties approbation & ratification of an Act§ to dock the

---

* This was on account of the war between England and Spain.

† Sir Yelverton Peyton, commanding the Hector man-of-war, had arrived in Virginia from England after assisting in conveying General Oglethorpe to Georgia.

‡ William Gooch was the only son of Governor Gooch and died before him, without issue.

§ See *Hening*, V, 536. In August, 1736, an act had been passed docking the entail on a large tract of land in King William county belonging

Entail of certain Lands whereof Lewis Burwell Esq'r is seized and for settling other Lands & Slaves of greater Value to the same Uses.

read & to be recorded.

Pr'sent Wm. Randolph, Esq'r.

On reading the Petition & Complaint of John Colvil ag'st John Mercer Atto. at Law & the Examination of several Witnesses their Hon'rs are of Opinion that the said Mercer be not admitted to Practice as an Attorney in Prince William.

Ja: Gibson & ——— Smith appointed Inspect'rs at Pungoteague.

Ralph Justice & Javice Pitts at Pitts & Guildford.

Edward Robin & John Kendall at Cherry Stones & Hungers.

John Foard cont'd & John Dean appointed at Nailors.

Ord'd that Colo. Simonds be sumoned to Answ'r the Petition of the Nottoway Indians.

John Robinson Esq'r William Gooch jun'r Esq'r Henry Robinson Thomas Lewis & Andrew Lewis have leave to enter for a Survey 30,000 Acres in Orange lying to the South South West & North West of the Calves pasture heretofore granted to Edward Barradall & John Lewis.

William Rand 2000 Acres in Goochland on the upper side of Shipson's Creek on the North side of James River & so running up to include the s'd 2000 Acres.

Nov'r 1, 1739.

PR'SENT:

The Govern'r.

Ja: Blair	John Carter
Wm. Bird	John Custis
Cole Diggs	Wm. Randolph
John Robinson	John Tayloe
John Grimes	Phi. Lightfoot &

Thomas Lee Esq'rs

---

to Lewis Burwell, of "Kingsmill," James City county, who had recently built a mansion house and made other considerable improvements on his estate in James City county. The "Kingsmill" house, a large brick mansion overlooking James river, was destroyed many years ago.

Indian Creek in North land Geo Oldham and John Kent Inspect'rs.

King George:	Falmouth, James Strother appointed.
Gloucester:	Deacons neck, William Kemp.
	Porropotank, James Batop.
	Hayes's, Richard Cary, James Hayes.
Lancaster:	Corotomon & Davis'es, Dale Carter in the room of Joseph Carter.
Eliz. City;	Hampton, Thomas Parson & Sam'll Hawkins.
King William	Ayletts, Rich'd Gwathmey and Phillip Aylett appointed.
Prince George:	Appomattox, Christopher Martin in the room of Jones.
	Munfords, Thomas Short.
	Macocks, Thomas Harrison.
Middlesex:	Kemps, Churchill Jones.
Surry:	Cabbin Point, Thomas Cock.

Justices for Westmoreland, James Steptoe, Robert Vaulx, James Berryman, Presly Cox, Charles Ashton, to be added.

Richmond: John Smith & Will'm Brockenbrough.

Amelia: George Walker, Abraham Cock & Richard Clark.

Orange: James Wood, Jno. McDowel & Richard Woods.

Spotsylvania: John Grame & Hancock Lee to be left out and John Edwards, John Taliaferro jun'r & Elliott Benger to be added.

The Assembly to be prorogued to the last Thursday in Jan'ry.

M'r Receiv'r General pr'sented his Acc't of Contingent Charges from the 25th April 1739 to the 25th of Oct'r 1739.

Also an Acc't of Work done at the Govern'rs House in the same time.

Nov'r 3'd, 1739.

PRESENT:

The Govern'r.

Ja: Blair	Jno. Grymes
Cole Diggs	Wm. Randolph

Jno. Robinson — Jno. Custis
Jno. Carter — Jno. Tayloe &
Ph. Lightfoot Esq'rs.

The following Warr'ts upon his Maj'ties Revenue of two Shil'gs a Hh'd—were signed.

A Warrant for half a Years Salary to the Governor	1000.	—.	—
A Warrant for half a Years Sallary to the Council	300.	—.	—
To the Judges & other Officers of a Court of Oyer & Terminer	100.	—.	—
For half a Years Sallary to the Auditor of the Plantations	50.	—.	—
For half a Years Sallary to the Sollicitor of Virginia affairs	50.	—.	—
For half a Years Sallary to the Atto. General	35.	—.	—
For half a Years Sallary to the Clerk of the Council	50.	—.	—
To the Ministers attending one General Court	6.	—.	—
For half a Years Sallary to the Armourer	6.	—.	—
For half a Years Sallary to the Gunners of the Battaries	23.	10.	—
For repairs done to the Govern'rs House	78.	2.	6
For contingent Charges	393.	13.	11
For half a Years Sallary to the Adjutant	75.	—.	—
Warrants upon the Quit Rents			
Mr. Commissary Blair	50.	—.	—
Mr. Attorney General	35.	—.	—

Mr. Receiv'r General made Oath to his Account of the Revenue of 2s. p Hh'd.

April 3d, 1740.

P'SENT:

The Governor.

James Blair — John Carter
Cole Diggs — John Custis &
John Robinson — Philip Lightfoot, Esq'rs.

A Le'r from the L'ds Commissioners of Trade & Plantations dated at White Hall, July 5th, 1739 & the several addresses therein mentioned were read.

*Also a Copy of his Majesty's Commission to the Lord's Commissioners of the Admiralty bearing Date the 30th day of November in the 13th year of his reign for the Tryal & Condemnation of Prizes.

And also their Lordships Warrant to the Court of Vice Admiralty here dated the 13th day of Dec'r 1739 to proceed to the Tryal & Condemnation of Prizes.

Also two Letters from the r't honoble the Duke of Newcastle the one dated the 29th Oct'r 1739, the other the ffifth day of Jan'ry in the same Year.

Upon consideration of w'ch said several Letters It is the Op'n of the board that the Govern'r issue Procl'n to encourage Persons to list in his Majesty's Service upon the further Encouragem't of entering into imediate pay & receiving two Guinea's each Man at the time of their Imbarkation.

April 18th, 1740.

P'SENT:

The Govern'r.

James Blair	William Randolph
Will'm Bird	John Custis
John Robinson	John Tayloe
Cole Diggs	Thos. Lee, Esq'rs.
John Carter, Esq'r	John Grymes, Esq'r.

Philip Lightfoot, Esq'r.

---

*These orders were, of course, in relation to the war with Spain, which had just begun. The American Colonies were directed by the English government to furnish troops. Virginia raised as her quota 400 men, and the Assembly provided £5,000 for their support. The Colonial contingent, consisting of a regiment of four battalions, was to be commanded by Alexander Spotswood, who was raised to the rank of Major General; but as he died, at Annapolis, Md., June 7, 1740, when about to embark, Governor Gooch took command. The Colonial troops joined at Jamaica those from England under Admiral Vernon and General Wentworth. After a success at Porto Bello the expedition was defeated at Carthagena, and the remnant of the American troops returned home.

The Duke of New Castle's Letter to the Governor dated Jan'ry 5th 1739 was again read upon cons'n. Whereof It is the Opinion of the board That the Men to be listed in pursuance of the said Letter receive 2s.6 when listed that their pay be a Pistole a Month & that instead of two Guineas they receive three Pistoles at the time of their Embarkation w'ch may be assigned. And that till they Embark they be found in Provision at the King's Expense and Quarter'd at such places as the Govern'r shall appoint.

The Govern'r is likewise desired to Issue rights to the Value of 500.

Or'd a new Commission issue for Caroline.

Ord'd That a Proclamation Issue for putting the Laws in Ex'n ag'st Vagabonds.

April 30th, 1740.

P'SENT:

The Govern'r.

James Blair	John Curtis
Will'm Byrd	John Tayloe
Cole Diggs	Philip Lightfoot, Esq'rs.
John Robinson	John Carter

Jno Grymes

A new Commission to Issue for Gloucester.

Sam'l Buckner & Beverley Whiting to be of the Quorum & David Alexander & John Thruston to be added.

For Middlesex.	John Smith to be added next the Quorum Christopher Curtis.
For James City.	John Graeme to be added.
North'ton	to be added Will'm Smith, John Savage, John Marshall, Edmund Custis, Dighby Seamour, John Roberts of Occahannock.
Isle Wight.	Will'm Hodsden, Etheldr'd Taylor, Richard Hardy, Benj'n Clement, James Ridley, Howell Edmunds & John Dunkley.

Mr. Receiv'r General exhibited his Acc't of contingent Charges from the 25th of October 1739 to the 28th Apr. 1740 & the same was considered & allowed.

Also an Account of Work done at the Gov'rs House from the 25th of October, 1739. to the 25th April 1740 & the same was considered & allowed.

Ord'd,

That his Majesty's Warrant to the Receiv'r General for —— dated the 23d of Jan'r 1739 be register'd in the Council Books.

May 26, 1740.

P'SENT:

The Govern'r.

John Robinson	Jno. Custis
John Carter	Will'm Randolph &
Jno. Grymes	Thos. Lee Esq'rs.

It is this Day ordered that no Person impowered to enlist persons for his Majesty's Service do p'sume to enlist Servants upon any pr'tense whatsoever & that this ord'r be forthwith printed & published in the Gazette that no person may pr'tend ignorance thereof.

May 28, 1740.

P'SENT:

The Govern'r.

James Blair	John Grymes
Cole Diggs	John Custis
John Robinson	William Randolph &
John Carter	Philip Lightfoot, Esq'rs.

The Govern'r acquainted the board that as some estimate might now be made of what Number of Men might be raised in this Colony for his Majesty's Service he had proposed to send a Messenger to Phyladelphia to hire Vessels to transport them but that he had been last Night informed by the Gentlemen of Norfolk that a sufficient Number of Vessels might be hired here; Whereupon *Mr. Boush, Mr. Walke & Mr. Hutchins were

* Prominent merchants and ship-owners of Norfolk.

called in and confirmed the same. And Mr. Boushe & Mr. Walke informing the board that they did not propose to send any Vessel of their own upon the Service aforesaid. And Mr. Hutchins declaring that he was willing to contract for the Hire of one or more Vessels was desired to make an Estimate of the expense of Hiring such Vessel or Vessels according to the Tonage by the Month to be laid before the Board to Morrow Morning.

Saturday, May 31, 1740.

P'SENT:

The Govern'r.

John Carter — William Randolph.
John Grymes — John Tayloe &
Phi: Lightfoot, Esq'rs.

Pr'sent James Blair, Esq'r.

The Govern'r acquainted the Board that he had advanced the Bounty Money, to be paid at the time of enlisting, to a considerable Number of Men that have been raised pursuant to a Letter which he rec'd from his Grace the Duke of Newcastle dated the 5th of January last, & that they are now impatient to receive their pay; The Board taking that matter into consideration are of Opinion That it must be very much for his Majesty's Service to subsist the Men that have been so raised & do advise that His Hon'r subsist them upon his own Credit, 'till the arrival of Colo. Blaikney or until such time as he shall be further informed of his Majesty's Pleasure concerning the same.

The Board being informed That Mr. Hutchins had made an estimate of the Expense that Vessels might be hired for to transport the Men that have been or shall be raised in this Colony for his Majesty's Service as had been mentioned to him on Wednesday last, He was called in and after some proposals made to him which he refused to accept at last agreed to provide 350 Ton of Shipping for the Purpose aforesaid furnished with Hearths and Coppers sufficient for dressing Victuals for the said Men, according to the Burthen of each respective Vessel &

also to provide & put on board sufficient Water Casks, Water, Candles & Fewel for the Voyage Which Vessels shall be ready to take on board the s'd Men, so furnished & provided as aforesaid by the 15th of July next, and also agree to Victual the Sailors at his own Expense for & in consideration of 15s. Sterling p. Ton by the Month for the first three Months & afterwards at the rate of 14s. Sterling p. Ton by the Month for so long time as the said Vessels shall continue in his Majesty's Service after the first three Months. Which Vessels are to enter into pay (being ready and provided as aforesaid) on the said last day of June [?] But if before that time the said Hutchins shall have Notice from the Govern'r that such Vessels are not wanted the said Hutchins agreed to accept one Months pay at the rate first mentioned but he is also to be reimbursed what loss he shall sustain by the Water Casks, Furnaces & Hearths by him provided in pursuance of this Agreement. And if the said Vessels shall actually begin & enter upon a Voyage in the Service aforesaid then the said Hutchins is to receive three Months pay at the first mentioned rate notwithstanding such Voyage shall be sooner countermanded. And in case the said Hutchins shall fail to provide Shipping according to his Agreem't afores'd by the time herein before limited then he agrees to forfeit one Months pay according to the rate at which he is to be paid for the first three Months and that the said Vessels so to be by him provided as aforesaid shall not enter into pay till the Twentyeth day of July next.

The Terms of which Agreement the Board do approve of.

(TO BE CONTINUED.)

VIRGINIA COLONIAL RECORDS.

CULPEPER'S ADMINISTRATION.

From the Virginia Manuscripts in the Library of Congress.

(CONTINUED.)

COMMISSION OF THOMAS LUDWELL AS SECRETARY OF STATE, 1668.

Charles the Second by the grace of God King of England Scotland France and Ireland Defender of the faith &c. To all to whom these presents shall Come greeting. Know ye that we out of the good opinion we conceive of the faith Loyalty and sufficiency of our wellbeloved subject Thomas Ludwell Gentleman for the service and imploiment hereunder mentioned Have given and granted and do by these presents for us our Heirs and Successors of our special Grace certain Knowledge and mere motion give and grant unto the said Thomas Ludwell the office and place of Secretary of State for the Colony and plantation of Virginia and him the said Thomas Ludwell for the consideration aforesaid We have made constituted ordained and appointed and by these presents for us Our heirs Successors do make constitute ordain and appoint the Secretary for us our heirs and Successors for the writing and answering all such letters as shall be from time to time hereafter sent to or directed from Our Governor and Councel of the said Colony and plantation of Virginia and for the doing performing and Executing all and every other thing and things whatsoever which to the said office or place of Secretary of State for the said Colony and plantation belongeth or appertaineth To have and to hold Exercise use and Enjoy the said office and place of Secretary of State for the said Colony and plantation of Virginia unto the said Thomas Ludwell by himself or his sufficient deputy from the date of these presents during our pleasure together with as much the same and the like fees Vailes Diets and rewards profits

and commodities whatsoever as any other person or Persons heretofore using occupying Exercising or executing the said office or place of Secretary of State for the said Colony and plantation of Virginia have had received or enjoyed or might have had received or enjoyed and further of our more favour and grace for us our heirs and Successors we will and require Our Governor and Council of the said Colony or plantation of Virg'a now being or that hereafter shall be that they will give admittance to the said Thomas Ludwell to be the Secretary of State for us our heirs and Successors for the said Colony and plantation according to the purport and true meaning of these presents Streightly charging and commanding that no person whatsoever shall interrupt molest or hinder the said Thomas Ludwell in for or from the use executing or ordering of the said office and place but that he the said Thomas Ludwell may quietly freely and peacably exercise use execute and Enjoy the said office or place with all and all manner of fees Vailes benefits and profits according to this our grant to him made And we do by these presents for us our heirs and Successors Grant unto the said Thomas Ludwell that these our Letters patents or the Enrollments or Exemplifications thereof shall be and remain good firm Effectual valid and Sufficient in the Law for the said Thomas Ludwell against us our Heirs and Successors as well in all Courts of Record as Elsewhere within Our Realm of England And also within our said Colony and plantation of Virginia for the having Exercising and enjoying of the said office of Secretary and other the premises without any further confirmation License or toleration from us Our Heirs and Successors hereafter by the said Thomas Ludwell to have sued for procured or obtained altho express mention of the true yearly value or certainty of the premises or of any of them or of any other gifts and grants by us or by any of our Proquitors or Predecessors heretofore made by the s'd Thomas Ludwell in these presents is not made or any Statute act ordinance provision proclamation or Restriction heretofore had made Enacted ordained or provided or any other matter cause or thing whatsoever to the contrary thereof in anywise notwithstanding. In Witness whereof we have caused there our Letters to be made

patents. Witness Ourself at Westminster the fourth Day of September in the Eighth and twentieth year of Our Reign.

By writ of privy seal

Piggott.

Commission of Herbert Jefferies as Governor of Virginia, November 11, 1676.

Charles the second by the grace of God of England Scotland ffrance and Ireland King Defender of the faith &c. To all whom these presents shall Come greeting Whereas our Trusty and well beloved S'r Will'm Berkeley Kn't Our Gov'r of the Colony and plantation of Virginia hath humbly represented unto us that in respect of his great age and bodily weakness he is at the present unable to perform and execute the duties of his place and office which are become the more heavy and burthensome unto him by reason of the present war and Rebellion lately arisen and yet continuing within his Government And therefore he hath humbly and Earnestly besought us for Leave to retire and that we would be pleased to appoint some other person to take upon him the Exercise of the powers and Authorities belonging to the office and place of Governor. We having taken the premises into Our Princely Consideration have thought fit and do hereby Declare our will and pleasure to be that the said S'r William Berkeley shall with all possible Speed return into England to give into us a perfect account of the State and Condition of Our said plantation And to the intent that our affairs & Service may not Suffer any prejudice by the absence of the said S'r Will'm Berkeley from his Government we have thought fit to appoint a Lieut Governor of Our Colony and plantation aforesaid who in the absence of the said Governor shall Execute all Powers and Authorities which the said S'r Wm. Berkeley as Governor of the said Colony and Plantation or as General of Our forces there might or ought to Do Know Ye therefore that we reposing Especial trust and Confidence in the prudence Justice Industry Courage and fidelity of Our trusty and well beloved Herbert Jefferies Esq'r do hereby Constitute and appoint him the said Herbert Jefferies Lieut Governor of Our Colony and plantation in Virginia aforesaid Giving and hereby

granting full power and authority to the said Herbert Jefferies during such time as the said S'r Will'm Berkeley shall be absent from the said Colony and plantation to perform and Execute all Jurisdictions powers and authorities belonging to the office of Governor of Our said plantation and of Capt. General of Our forces of or belonging to Our said Colony and plantation in as full and ample manner and in all matters causes and things as well Civil as Military as he the s'd S'r Wm. Berkeley might or could have done or any Other Governor or Capt. General of Our said Colony and Plantation hath used to Do Execute and perform to have hold Execute and perform the several Jurisdictions powers and Authorities aforesaid to and by him the said Herbert Jefferies for and during our pleasure. And our will and pleasure is that in Case it shall happen the said S'r William Berkeley shall depart this life yet in such Case We do hereby give full power and Authority to the said Herbert Jefferies to do Execute and perform all the Jurisdictions powers and Authorities hereby to him given and Granted until such time as we shall declare Our Royal pleasure and shall appoint Who shall Succeed in the Execution of the office of Governor and Cap't General of the forces of the Colony and plantations aforesaid and because it is necessary for the good Governm't of Soldiers in the time of War that Martial Laws should be Executed in such Cases where the ordinary Course of Justice cannot be well and safely attended and applied to We do hereby give full power and Authority to the said Herbert Jefferies when he shall by Virtue of these presents continue to Exercise the powers Jurisdiction and Authorities belonging to the place and office of Governor and Capt. General of the said Plantation to Exercise Martial Law within the said Country of Virginia by a Court Martial during this present war and no longer upon, and against such Soldiers as during they being of Our Army there shall be guilty of any offences usually punishment at a Court Martial and upon and against spies imploied by the Enemy by inflicting punishment upon the Offenders by Death or otherwise as their offences shall in Justice deserve. And we do further hereby give full power and authority to the said Herbert Jefferies so long as he shall Continue to Execute the powers and Authorities hereby to him given by virtue of these presents for us and in Our name

to pardon All Treasons Fellonies and other misdemeanors relating to the present War and Rebellion within the Colony and plantation afores'd (Except only and under such Restrictions as are Contained in Certain Instructions Signed by Our Royal Sign Manuel bearing Even date with these Presents And our will and pleasure is that During such time as by reason of the absence of the said S'r William Berkeley he the said Herbert Jefferies shall Execute the several Jurisdictions powers and Authorities belonging to the office of Chief Governor hereby to him given and granted the said S'r William Berkeley shall not be accountable or responsable to us Our heirs and Successors for any failor or Misdemeanor of the said Herbert Jefferies but that he the said Herbert Jefferies shall be only accountable and responsable for the same. And Our further will and pleasure is and we do hereby declare and Grant that from and after his decease Our trusty and wellbeloved Capt. Edward Picks and after his decease Cap't John Mutlow and from and after his decease Our trusty and well beloved Charles Midleton and from and after his decease our trusty and well beloved Capt. William Moole severally and Successively and after another in such order as they are herein beforenamed shall and hereby have full power and authority during Our pleasure to Exercise and Execute all and Every the Jurisdictions powers and Authorities hereby given or granted or mentioned to be given or granted to the said Herbert Jefferies as aforesaid in as ample manner and in all Causes matters and things whatsoever as the said Herbert Jefferies may or Ought to perform the same by virtue of these presents And our further will and pleasure is an We do hereby declare and grant that in Case any of them the said Herbert Jefferies Edward Picks John Mutlow and Charles Midleton who by virtue of these presents shall or ought to Execute the powers and authorities hereby granted shall at any time or times during the Continuance of Such authority happen to be by sickness or other Unavoidable accident disabled from performing the said Service That then the said Edward Picks John Mutlow Charles Midleton and William Moole successively one after the other in order as they are herein before named and as such Disability Each of them the said Herbert Jefferies Edward Picks John Mutlow and Charles Midleton shall successively happen shall

and may from time to time during such Sickness and disability unless we shall declare our pleasure to the Countrary in all things perform and Execute all and Every the powers Jurisdictions and Authorities hereby granted in as ample manner to all intents and purposes as the said Herbert Jefferies may or ought to Execute and perform the same by virtue of these presents. And lastly we do hereby require Our Councel of the said Colony and plantation for the time being and all other Our Loving Subjects there that they be Obedient aiding and assisting to the said Herbert Jefferies and other the persons aforesaid Successively in the Execution and performance of all the Jurisdiction powers and Authorities hereby given and granted according to the true intent and meaning of these presents. In Witness whereof we have Caused these our Letters to be made patent. Witness Ourself at Westminster the Eleventh Day of November in the Eighth and twentieth year of Our Reign.

Barker.

These are to Certifie to all whom it may Concern that Colo. Herbert Jefferies did upon the Eighteenth of November 1676 before the Lords of his Maj'ties most Honourable privy Councel take the Oaths of Allegiance and Supremacy And also one Oath that to the best of his skill and power he will well and truly Execute and perform all matters and things which by the Statute made in the 12th and 15th years of his Majesty's Reign is required from him as Governor of his Majesties Plantations in Virginia.

Phil. Loyd.

Recod. Edw Harrison C. Con.

PETITION OF THE GENERAL ASSEMBLY TO THE KING, 1679.

May it Please your most exc't Ma'ty.

The late intestine divisions of this your Majesties Colony of Virginia together with the charge of tedious warr with the Indians who dayly make incursions, and sometimes murders upon us, have reduced us to a poore and distressed estate, and enforced us to interrupt your Majesties more Weighty affaires with this our humble Supplication in behalfe of your Ma'ties

Soldiers* and ourselves, the first of which we have out of the Small Remnants of our Stock furnisht with what necessary for a twelve moneth past, and as in duty bound shall continue our care towards them till yo'r Maj'tie shall be pleased to Commiserate both our Conditions, and in regard of the great losses we have of late sustained we hope your Royall goodness will pardon our Requests for Remission of all arreares of quitrents due to your Sacred Majestie; and for supply of the excessive charge we must necessarly undergoe in defence of our Frontieres, that for such time as yo'r Royall wisdome shall allowe, the same be to that use appropriated.

That yo'r Ma'ty may be protected by the King of Kings from all temporall and Spirituall enimyes and Reigne long in peace and prosperity, are the incessant prayers of,

Your Ma'ties Most humble and most
obedient Subjects & Serv'ts.

Virgin'a the 17th May, 1679.

INSTRUCTIONS TO LORD CULPEPER,† 1679.

Charles R.

Right Trustie and Welbeloved we greet you well.

Whereas wee have lately received an Address from the

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* These were the soldiers sent to suppress Bacon's Rebellion. They proved a source of much trouble and expense to the Colony.

† Thomas, Lord Culpeper, Baron of Thorsway, son of John, Lord Culpeper, a prominent adherent of Charles I during the Civil Wars, was on July 8, 1675, appointed Governor of Virginia in reversion to Berkeley (see the patent, *Hening*, II, 565.) After Berkeley's death he showed no inclination to come to the Colony, but in December, 1679, received a rebuke from the King for his delay, and went to Virginia in 1680, taking the oath of office there on May 10 of that year. Culpeper only stayed in Virginia at this time for a few months, returning to England in August. He came again to Virginia November, 1682. In about a year he finally quitted the colony without the King's permission, was arrested on his arrival in England, and his commission was forfeited. He is stated to have been an able, but artful and covetous man. Lady Frances Berkeley, who was the daughter of Alexander Culpeper, was nearly related to him. For his administration see Campbell's *Virginia*, 328-337, and *Hening*, II, 458-508, 560-569.

grand Assembly of Virg'a dated the twentyeth of May last in behalfe of themselves, and our Soldiers for the payment of the arreares due to the Countrie, and them, and for omission of all arreares, and Quitrents due unto us, as likewise for the appropriation of such as shall hereafter become due, dureing such terme as wee shall think ffit for the defence of the Country, And whereas the Comiconers of our treasury had by our Command taken care to provide for their full pay untill the first day of July last exclusively. Wee have thought fitt to Signifie our pleasure unto you upon the matter of the said address, and doe hereby direct you to acquaint the Assembly upon your arrivall in Virg'a w'th the care wee had taken at your instance before the receipt of their Address for payment of the Arreares due unto the Soldiers to the time above mentioned, and for the Continuance of the same for the future without any charge, or other trouble to the Country then onely to give creditt for y'r quarters, at two shillings per week each, untill money's for theire discharge can be from time to time Remitted, & as for the quitrents, that upon your Representacon, Wee have alsoe had that matter long before the Receipt of that address under our Royall consideration and will shortly give such orders as shall consist with our service, and the ease of our people there, And lastly you shall acquaint them that we have sent some Lawes to them and given them instructions to Signifye our further pleasure and Commands unto them, to which wee expect a cheerfull, and ready complyance assureing them on all occasions of our perticular care and kindness for that Colony, and soe wee bid you heartily farewell. Given at our Court at Whitehall the fifth day or December 1679 in the one and thirtyeth years of our Reigne.

To Our R't Trusty & Welbeloved
Thomas Lord Culpeper Our
Lieutenant & Governor Gen'll
of our Colony and Dominion of
Virg'a in America

By his Ma'ties Command
H. Coventry.

Commission to Councillors to Administer Oaths to Burgesses.

Virg'a By his Excellency:

I doe hereby nominate, authorize & appoint you Collo. Nicolas Spencer Secr: and Collo. William Cole of his Majesties Councill of this Colony to administer the oaths of Allegiance and Supremacy, and the Usuall oath of a Burgess to every perticular member, whoe is Returned elected Burgess to serve in this present Assembly. Given under my hand and Seale of the Colony.

Tho. Culpeper.

Speech of Governor Lord Culpeper.

His Excellencies first Speech to the Assembly begunne at James Citty June: 8th 1680.

Gentlemen

It is almost three yeares since it first pleased his Majestie upon the death of S'r William Berkeley to Commiconate me his Lieuten't Governor Gen'll of this his great and most considerable Colony, though to mee the time hath seemed much Longer haveing bin contrary to my Inclinations detained from you on other services by the Kings express Comands, for nothing less, should have hindred mee, besides the disadvantage of Succeeding such a person, I am fully sensible of my weekness to undergoe soe great a waight, but as dureing my absence in Engl'd I have not bin totally unserviceable unto you soe I shall alwayes continue my utmost endeavours for your wellfaire not onely by hindering oppressions asserting your liberties, and distributing equall and speedy Justice, but by improveing to the utmost all opportunities that may contribute to yo'r prosperitie the effect of which you shall rather finde by deeds, then any more words on that Subject.

Had not my owne desires prompted me to beginne a speedy acquaintance, and Correspondency with you, the King's Comands of giveing him a full state and information of this his Countrey which can by noe meanes be soe well don as by a Generall Assembly, would have oblieged me to call it, but besides those implications I have his perticular Commands to ten-

der you the three acts* following, which upon mature consideracon with the advice of the Privy Councill he hath sent you by me under the great Seale of England with full power to give the Royall assent to them, By the first intituled an Act of free and generall pardon, indemnity and oblivion, his Majestie hath pardoned all persons whatever except Bacon that dyed, and Lawrence that fled away, and such as were condemned by legall Juries, by which means onely estates are forfeitable with an exclusion of some few Ringleaders from publique employments, To which is annexed a clause to confirme juditiall proceedings, and another to prevent the Licentious defamacon of the government, & Majestracy, I shall add nothing to it, but onely informe you, that as his Maj'ty hath forgott it himselfe, he doth expect this to the last time of yo'r remembring the late Rebellion, and that he shall looke upon them to be ill men that rubb the sore by useing any future reproaches or termes of distinctions whatever, This I hope will entice those cheifly concerned therein to use there utmost endeavors to express their gratitude by theire future comportment, and all of you to recover that favourable impression in the minde of the best of Kings, which your unspotted Loyaltie in the time of the Epidemicall Rebellion in England and your late Submission to the then ursurped powers (the last of all his dominions) had justly acquired to this Colony. The second is an act for Naturalization to invite persons to come to this place by makeing the Same as Ready and Easy as possible To which is added a clause to confirme such bad titles as in ye Nonage of this Colony could not be prevented, and which cannot but be very usefull to you.

The third is an additional act about the two shillings p hh'd

* These acts are the first three of the session of June, 1680 (Hening II, 458–469.) The third act continuing the duty of two shillings per hogshead on all tobacco exported was made perpetual, and instead of being accounted for to the Assembly as formerly, was put at the King's disposal only. From the "second speech" it is evident that the Governor had difficulty in securing the passage of the revenue bill. The two provisoes added by the Assembly related to the repeal of former acts imposing duties and to the privileges of Virginia owners of ships.

& c'a which must necessarily improve that Revenue by preventing frauds and abuses in the paym't thereof.

I am further expressly commanded to acquaint you, that his Majestie haveing in Councill Concluded on the necessity of haveing one or more townes, in this Country without which noe other nation ever begunne a plantacon, or any yet thrived (as it ought,) and observed that all other means have bin unsuccessfull, hath in order thereunto Resolved as soon as storehouses & conveniencyes can be provided to prohibit Shipps tradeing here to loade or unloade but at certaine fixed places to be appointed under necessary penalties in the denomination whereof and all other Circumstances, that may make the thing practicall, he thinks fitt to take his Measures by advice from hence he doubts not but in a matter of such consequence, severall difficulties will occurr, and as little, but that on due examinacon, they will be remedyed.

In the last place I am Ordered to acquaint you with his Majesties Letter to me (which with the acts shall be forthwith sent you,) by which you will finde care had bin taken before the Address last yeare for the Payment of y'e quart'rs and Soldiers till the first of July last, for the punctuall execution whereof I have employed two Considerable Justices and now Members of the Assembly to adjust Accounts between Landlord & Soldier, upon whose Returne sometimes this week the money shall be paid. I have alsoe repay'd to mr. Auditor Bacon those Summes he advanced to the Gunners in their need, and have alsoe pay'd their quarters due any where in the Country amounting to a considerable summe, and dismist them the Service, being absolutelie necessary to prevent the growing charge to his Ma'tie but ye doeing of that hath disenabled me for the present to pay the arreares due in Nanzemond, and the Isle of Wight Counties but in May next I will see the Country paid out my own Sallary, in case by any accident, The Commissioners of the treasury should faile therein. You will by the said letter perceive, (notwithstanding the returne and opinion of some persons to the contrary) his Majesties, gratious resolution on my representation of paying his forces himselfe out of his owne purse from time to time, without expecting any thing from hence, but Credit for quarters at two shillings per week to be paid at every yeares

end, and yett in that Case too, I shall ease you of one halfe for I will pay the quarters of my owne Company punctually myselfe. The other part of the Letter concernes the Quitrents, which I had alsoe long since Represented unto his Majestie, wherein as soon as he shall be fully informed of the state you are in, and your Readiness and Cheerfulnes for his Service and yo'r own good I doubt not but such measures will be taken boeth for the past and future, as will be Satisfactory to all interests (that I have therein I shall never stand in Competicon to yo'rs) and conduce to his Majesties Service, and the good of this Colony, to which my utmost endeavours shall be alwayes readie.

I would be glad to be fully informed of the state of affaires in relation to the Indians, to severall of whom on the Returne of S'r Jno. Berry and Collo. Morrison, I am to deliver presents from his Majestie, I have formerly understood it would be for yo'r service to Lay open the trade with them, if you finde it soe I shall most readily concurr, for 'tis my resolution to doe all things may be for the publique good without considering any private interest and therefore I leave it to your consideration.

If you have any greivances you Cannot have a better time to offer them. All in my power shall be forthwith effectually remedyed on the place, and if there be any of a higher nature, you may assure yourselves of his Majesties gratious disposition to do ye like.

I hope in this present cheapness of tobacco you are not unprovided of some proposalls for the good of the Country, 'tis a thing I am yett Recent in, and I am sure deserves your most serious Consideration.

Lastlie I require you to be very exact in stateing the publiq debts, and to take notice yourselves and soe inform your respective Counties, that the present Levies are for past uses and if you please from hence to drawe a Line. I shall take care that noe unnecessary charge shall be undertaken nor noe necessary one but with the least expence, for some meanes must be used to moderate the excessive Levies by tytheables.

I have nothing more but to desire your speedy resolutions and to consider that I am bound up by instructions, on reporte of the late Commiconers, to admitt you to sitt but a few dayes, &

since the Oxford ffregate hath stayed soe long, I would be willing to give his Ma'tie an account by the Capt. thereof of the Commands he sent you, ffor yo'r particular accounts you may take a further time. But Pray Remember the Season of the yeare and entertaine noe Private Causes this Assembly.

Speech of Lord Culpeper to the House of Burgesses, 1680.

His Excellencies Second Speech.

Mr. Speak'r, and you Gentlemen of the house of Burgesses;

Your yesterdayes note is the occasion of my sending to you now, I was sorry to receive your first vote of agreeing but to two of his Majesties bills, but totally surprised with this (that carryes with it the aggravation of admitting a conference to noe other purpose but loss of time) which is totally unparliamentary, and will make the exercise of Assemblyes, (which as most necessary ought to be most easy) wholly impracticable, if not impossible, except the house of Burgesses pretend to the Sole Legislative power, which noe house of Common in England ever did, till first voted away boeth Kings and Lords. It lookes as if you could give noe Reasons (which I am sure you alwayes will doe for all your actions) or as if you were afraid to be Convinced. This concern's futurity as well as the present, And therefore I desire you to lay aside that irregular proceeding, which never can be useful, and therefore I assure myselfe you will resume the debate.

Though the mannagers of the last Conference, have I am sure given most strong reasons for the Councills unanimous concurrence to the acts, yet since I am on this Subject, I shall offer mine alsoe, boeth as to the Right of the King, and the prudentiall considerations of this time, that his Majestie hath undoubted right to collect it, and by every ones Consent here is by his Representative the head of the Assembly, And that ye first act is perpetuall, I am sure none will question, now if in Joyntenancy, the King by the Common Lawe in force before Statute Lawe take the whole, much more [shall he have the preference, in different application of uses, for that onely can be the question for you may as well presume, he will take away

your free holds, as act contrary to the act which carryes innegative words (To no ether use or purpose whatsoever, &c.) Twas with noe small difficultie, I did in your behalfes and in some sort my owne too (for my interest is Considerable) obteyne the inserting those words, and boeth in that and the transaction about the Auditor I pretend to have done you service, whether you interprett it soe or not, But to take away all scruples, I offer after the passing of the act, not only to assist you, but to joyne with you as a partie in a petition to his Ma'tie (though in noe sort I question it) that the mony may alwayes remaine here, that it be applyed and accounted for too, from time to time to the Countrey's use as the King shall direct, And that the Auditor be chosen and allowed as formerly, and I doubt not of his Concurrence to your full content, But feare it otherwise for the prudentiall reasons, Consider the affaires of the Quitrents, consider yo'r publique Creditt and levies, consider the King's favour in every thing you may aske even to Cessation or otherwise in this low ebb of tob'o and then reflect if it be Tanti for you not to concurr in a thing that I am Sure the King on mature debate in Councill judges his owne, and will soe use it, and that more freely then if this act past, All these considerations must be layd at the dore of those that oppose it, though I assure myselfe, that in a business soe cleare, neither the ignorance, or too much or too little wisdome of any wilfull persons will prevaile w'th you to obstruct or retard the service of the Country which hitherto, (except by the Lowness of tobacco,) hath never had a more liklyer, and comfortable prospect, And I doubt not but this nights debate of yours will fully settle all business to his Ma'tys content, and the wellfare of this Colony which is my Cheifest Concern.

PETITION OF THE GENERAL ASSEMBLY TO THE KING, 1680.

To the Kings most Exc't Ma'tie

The humble Peticon of the Gen'rll Assembly of Virginia, Sheweth

That your Peticoners have with their hearty thanks embraced your Majesties act of free, and generall pardon & oblivion, and passed the second act of Naturalization.

That they have with the like zeale for your Majesties service w'th all allacritie passed the Act of your Majestie, Entituled an act, for raiseing a publique Revenue for the better Support of the government of this yo'r Ma'tys Colony of Virg'a with such necessary and important Provisoes, as to yo'r Ma'tys generall Assembly here Seemed by the said act intended and most conduceing to your Majesties Service, and welfaire of this your Country. And we humbly beseech your Majestie y't the said act of indemnitie, the act of Naturalization, and the act of raising a publique Revenue &c, with ye provisoes there mentioned may be confirmed by y'r Ma'ties Royall assent, And your generall Assembly doth furth'r Represent to your Ma'tie that it is absolutely necessary for your service, and the welfare of this your Colony, that the office of Auditor of this Colony being a place of the greatest trust and confidence should should be executed by some deserving person, resideing here, in whose fidelities and conduct this Country may be Satisfyed and noe other; And haveing bin informed by his Excellency of a grant Surreptitiously obtained from your Ma'tie of that place by one m'r Robert Aleway, which would have bin ruinous to this your Colony, and which by his Lords'ps application to your Ma'ty was rejected and laid aside to our great content, and for which wee returne your Majestie our most humble thanks, for the prevention thereof for the future, and that yo'r Majestie may be freed from the like opportunitie, and none but fitt persons may execute the same in whom yo'r Majesties Colony, may have full assurance, and of whom by reason of the distance of the place yo'r Leiutenant and Governor here is the best judge; Your Generall Assembly doth humbly Supplicate yo'r Ma'ty that the said Auditor may be first recommended to yo'r Ma'ty by Yo'r s'd Leiuten't and Govern'r Gen'll as formerly out of some of the fittest persons then resident in this Colony for that great trust, and noe others, and afterwards confirmed by yo'r Ma'ty in such manner as hath hitherto bin practized.

And lest we should seem guilty of a great omission in point of duty, wee beseech yo'r Ma'tie to accept our thanks for dismissing the peticon of m'r Thomas Sands being highly sensible how great a defalcation the grant of it would have made in that small revenue raised for the Support of your Majesties

government here and for the gratious concession, that the Governor for ye time being should be acquainted for the future with all matters relateing to this your Dominion, and alsoe an order as favourable and advantageous to our peace against the importacon of the Scotch Convicts.

That God Almighty will grant yo'r Maj'ty hearts desire here, and hereafter, is the Constant prayers of.

Your Ma'ties

Most Loyall, & most dutifull Subjects

Thom: Culpeper
Tho: Ballard Speak'r.

Address of the Council and Burgesses to the King, 1680.

To the Kings most Excel't Ma'tie.

The humble Address of the Councill and Burgesses of this Gen'll Assembly in this your Majesties Dominion of Virginia:

Humbly Representing

That the great quantities of our onely Comoditie tobaccoes made here, in Maryland and other your Ma'tys plantations, hath brought the price thereof soe low,* and thereby our necessities soe great, that without applyeing some speedy Remedy for Redress thereof your poore distressed Subjects here cannot much longer Subsist, And after due consideration had of all wayes, and meanes whereby we might releive and ease ourselves from this great pressure and affliction wee at present lye under, can finde none probable or likely but a totall cessation from planting tobaccoes this next yeare which will abate the quantitie and advance the Commod'y, and alsoe for the future preserve your Majestie Customes, which must necessarily abate if wee be throwne upon the necessitie of leaving it of ourselves. Wee therefore humbly pray yo'r Maj'ty will be gratiously pleased

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*The low price of tobacco, which continued for several years and caused great distress, led to the "plant cutting" riots of May, 1682. See *Hening*, II, 561-563; III, 341-351; *Va. Mag. Hist. and Biog.*, II, 408-411.

by your Royall Proclamation to enjoyne a totall Cessacon from planting tobacco in this Countrie, Maryland and Carolina this next yeare 1681, And that we may better hope to obtaine we have humbly intreated his Excellency Thomas Lord Culpeper your Majesties L't and Governour Generall here, to present this humble address, and with all to Represent to yo'r Majestie the great distress we lye und'r for the want thereof and the advantages wee shall necessarly gaine thereby by advancement of our Stocks of Cattle &c, and the reduceing us to townes which this vancancie from planting will undoubtedly helpe forward, The method and manner thereof we humbly present to your Majestie by a byll, to which wee humbly Supplicate your Ma'ties Royall Assent and confirmation, Not doubting but yo'r Majestie, whoe from time to time has encouraged us thereunto, will out of yo'r Royall Clemency still encourage us therein, by granting the inhabitants there some immunities, though to a small diminution of yo'r owne Treasure. Wee therefore humbly implore you will be gratiously pleased to Remitt the one penny per pound to all that shall constantly and actually inhabitt in any of the s'd townes, Shipping of their owne proper tobaccoes from thence to any of your Majesties plantations, and one half penny per pound out of your Customes to such inhabitants Shipping tobacco, and sending it to any your Majesties Ports in England, Wales or Towne of Berwick upon Tweed, which immunityes granted for seaven yeares, will suffitiently Replenish the townes with many oppulent inhabitants. The true Representation whereof wee hope his Excellency your Ma'ties Governor Gen'll will send to yo'r Ma'tie and supplicate your Majestie on our behalfe. And for the better advance of trade and Cohabitacon, wee humbly pray your Ma'tie will be gratiously pleased to give your Royall Assent, y't it may be Lawfull for us to inhance 25: per Cent upon your Ma'ties and all fforreigne Coynes imported hither, over & above their Currant vallue, with a prohibitian for the Exportatian thereof, upon such severe pennalties as shall be agreed on by the Generall Assembly, the impost of two shillngs p hogshead & Castle duties &c: to be paid as formerly.

Our necessities have alreadie forced us to trouble yo'r Ma'tie with soe many and soe greate addresses and peticons, that

wee are almost ashamed to make our last addresse, which to begg yo'r Ma'ts pardon for the former.

Your Ma'ties long happy and prosperous Reigne here, and an Eternall Crowne hereafter is the dailie prayers of

Your Majesties Most Loyall and Obedient Subjects

Signed by order of the Counc'll Nicho: Spencer: Secr:

Thomas Ballard: Speak'r.

Order for Sending Journals & of the Virginia Assemblies to England, 1680.

After our Commendations unto you, Whereas his Majestie hath bin gratiously pleased by his Commicon under the great Seale of England to empower his Governor to Sumon and call general Assemblies for the passing and enacting such Lawes as shall be necessary for the publique peace, and good government of his Colony of Virginia, And whereas it is necessary, that wee whom his Majestie hath appointed a Committee of his Privy Councill for trade, and forreigne plantacons should be informed of all matters transacted by such Assemblyes for discharge of the trust reposed in us, These and therefore in his Majesties name, and by his Express Commands to direct and require you to send unto us a journall of the Proceedings of the said Assemblies with Coppies of the votes orders, Bills, and Lawes, which shall be made passed or proposed therein, the same to be transmitted by you, unto us, bye the first opportunities, as alsoe Duplicates thereof by the next Succeeding Conveyance: And that you, and othere whome it may Concerne may at all time give due obedience hereunto, you are to make an entrie of this our Letter in the books of the said Assemblyes whereof you are not to faile.

From the Councill Chamber at Whitehall this fourteenth day of January: 1679-80.

Your Loveing Friends

Directed Anglesey: C. P. S.

To the Clerke of the Assemblie

Wincester Worcester.

for the time being.

Essex J. Bridgwater

In Virg'a.

	Bathe.	Fauncenberg.
	Cavendish.	H Coventry
	L. Hyde	
J Ernle		Hen Capell.
H. Powle.		William Blathwayt.

LETTER OF ROBT. BEVERLEY, CLERK OF THE ASSEMBLY, TO THE COMMITTEE OF TRADE AND PLANTATIONS.

R't Hon'ble Virg'a this 3d of May: 1682

Your Commands bearing date the fourteenth of January 1679-80 Commanding a Journall of the proceedings here &c; Came not to my knowledge, untill of late, upon the first reception whereof, an entry is made in the bookes of this Assembly, and had been presented to, and read in the house of Burgesses this late Convention, had not Suddaine Prorogation thereof Prevented, whose proceedings your Lords'ps will best know, by the inclosed perfect Coppie of their Journall, a duplicate whereof yo'r Lords'ps will receive by the next Conveniencie, and from time to time as Assemblyes shall happen perfect Coppies of all the proceedings therein by the first possible opportunities, as I am assured yo'r Hono'rs Long Since had of the last Assemblyes, begun at James Citty the 8th day of June 1680, Six Severall Copies whereof I delivered to mr. Secretary Spencer, (besides two to his Excellency my L'd Culpeper, whoe told me, he must send Coppies and Duplicates of all proceedings to yo'r Lords'ps and to both Secretaryes of State; and now yo'r Lords'ps will finde in this Journall, the Care there taken by the house of Burgesses to remitt their proceedings to the Rt. Ho'nbl S'r Lyonell Jenkins Principall Secretary of State, whereby might be represented to his most Sacred Majestie, the present Calamity and Low Condition of this his Countrey, and people therein, which I presume, might not have been soe ordered, had yo'r Lords'ps Commands bin Communicated to them dureing their sitting, yo'r Lords'ps being appointed Speciall Commiconers for that purpose, To whom being now encouraged by your Speciall Commands, I am well assured they will alwayes address themselves, and rest Comforted in the sure hopes of yo'r

Lords'ps Charitable assistance, as well in the Stopping the utter downfall of this tottring Country as the obtaining such gratious Condescensions from his Majestie as may tend to their preservation, and Releife.

R't Hon'bl

Directed

To the R't Hon'ble the Lords of his Majesties most hono'ble Privy Councill appointed a Committee for trade and fforreigne plantations.

At ye Councill Chamb'r Whitehall.

Your Lords'ps most humble Devoted Servant Robert Beverley Cl: Ass'bly of Virg'a

(TO BE CONTINUED.)

NEWPORT'S VIRGINIA'S DISCOVERY, 1607.

A DESCRIPTION OF THE JAMES RIVER, THE COUNTRY ON ITS BANKS AND THE ABORIGINAL INHABITANTS.

[This is the earliest description of Virginia, and was probably the first sent to England, as it is dated June 1st, and it is known from other sources that the ship Phoenix (the earliest to return to England), was off the Capes]on her homeward voyage on June 2d. The exploration of James river, on which this description was based, was commenced a few days after the arrival of the settlers at Jamestown and lasted until May 27th. These valuable papers have been only once printed, in *Archaelogia Americana*, Vol. IV, pp. 40–65, in 1860. They are therefore worthy of reprinting at this time. The companion paper, *A Relatyon of the Discovery of Our river*, &c., was printed as above and also in Arber's *Works of John Smith*, Vol. I, xl–lvi, and is therefore not reprinted.]

COLONIAL PAPERS, VOL. I, 151.

The Description of the Now-Discovered River and Country of Virginia, with the Liklyhood of Ensuing Ritches, by England's Ayd and Industry.

This river we have named o'r King's river extends it self 160 myles into the Mayne land between two fertile and fragrant banks, two miles, a mile, and where it is least a quarter of a myle broad, navigable for shipping of 300 tunn 150 miles; the rest deep enough for small vessells of six foot drought; it ebbs and flowes 4 foote, even to the skirt of an overfall, where the water falls down from huge great Rocks; making in the fall five or six severall Isletts, very fitt for the buylding of water milnes thereon, beyond this not two dayes journey, it hath two branches w'ch come through a high stoney countrey from certain huge mountaines called Quirank, beyond w'ch needs no relac'on (this from the overfall was the report and description of a faithful fellow, who I dare well trust upon good reasons) from these mountaines Quirank came two lesse rivers w'ch runn into this great one, but whether deep enough for shipps or noe I yet understand not, there be many small Rivers of brooks w'ch unlade themselves into this mayne river at severall mouthes, w'ch veynes divide the salvage Kingdoms in many places, and yeeld pleasant seates, in all the country over by moystering the frutefull mould. The mayne river abounds w'th sturgeon very large and excellent good; having also at the mouth of every brook and in every creek both store and exceeding good fish of divers kinds, in ye large sounds neere the sea are multitudes of fish, banks of oysters, and many great crabbs rather better, in fact, than oures, are able to suffice 4 men, and within sight of land into the sea we expect at tyme of yeare to have a good fishing for codd, as both at o'r ent'ring we might p'ceive by palpable conjecture seeing the codd follow the shipp yea bite at the [blank in the MSS.] as also out of my ouwne experience not farre of to the northward, the fishing I found in my first voyage to Virginia.

This land lyeth low at the mouth of the river & is sandy ground, all over besett with fayre pyne trees, but a little up the

river it is reasonable high, and the further we go (till we came to the overfall it still ryseth increasing. It is generally replenish't w'th wood of all kinds and that the fayrest yea and the best that any of us (traveller or workman) ever sawe, being fitt for use whatsoever, as shipps, howses, planks, poles, boordes, waynescott, clappboard, for pikes or elsewhat.

The soyle is more fertill than can be well exprest it is altogether aromaticall giving a spicy taste to the rootes of all trees plants and hearbs: of it self a black fatt sand mould somewhat slymy in touch and sweet in savor: under w'ch about a yard is in most places a redd clay fitt for brick, in other marle, in some signification of mynerall, in other gravell stones and rocks, it hath in diverse places fullers earth, and such as comes out of Turky called terra siggillata. It p'duceth of one come [corne?] of that country wheate some-times two or three stems or stalks on w'ch grow eares above a spann long besett w'th cornes at least 300 upon an eare for the most part 5, 6 & 700. the beanes and peaz of this country have a great increase also: It yeelds two cropps a yeare. Being temp(er)ed and tyme taken I hold it natures nurse to all vegitables for I assure myself no knoune continent brings forth any vendible necessaryes w'h this by planting will not afford: for testimony in part, this we fynd by proof: from the west Indies we brought a certaine delicious fruite called a pina, w'ch the Spanyard by all art possible could never p'cure to grow in any place, but in his natural site, this we rudely and carelessly sett in o'r mould, w'ch fostereth it and keeps it greene. and to what Issue it may come I know not, our west Indy plants of orenges & cotton trees thrive well, likewise the potatoes, pumpious & millions: All o'r garden seeds, that were carefully soune p[ro]sper well, yet we only digged the ground half a * * * deep throw in the seeds at randome carelessly, and scarce rakt it. It naturally yeelds mulbery trees, cherry trees, vines aboundance, gooseberryes, strawberryes, huckleberryes, Respesses, ground nutts, scarretts, the roote called sigilla christi, certain sweet thym, shelled nutts, certaine ground aples, a pleasant fruite any [?] Many other unknown. So the thing we crave is some skillful man to husband, sett, plant, and dresse vynes, sugar canes, olives ropes hemp flax, lyceris pruynes, currants, raysons, and all such things, as the north

Tropick of the world offords: also saffran woad hoppes and such like.

The comodityes of the country, what they are in else, is not much to be regarded, the inhabitants having no concerne w'h any nation, no respect of p[ro]fitt, neither is there scarce that we call *meum et tuum*, among them save onely the Kings know their owne territoryes, & the people their severall gardens yet this for the present by the consent of all o'r seamen, meerly o'r fyshing for sturgeon, cannot be lesse worth then 1,000£ a yeare, leaving hering and codd as possibilitys.

Our clapboard and waynscott (if shipps will but fetch it) we may make as much as England can vent: We can send (if we be frends w'h the salvage or be able to force them) 2, 3, 4, or 5,000£ a yeare of the earth called *terra siggillata*. Saxafroge what store we pleast. Tobacco after a yeare or two 5,000£ a year. We have (as we suppose) ritch dyes, if they p[ro]ve vendible, worth more than yet is nominated; We have excellant furrs, in some places of the country great store; we can make pitch Rozen and Turpentyne; there is a gume w'ch bleedeth from a kind of maple (the bark being cutt) not much unlike a Balsome both in sent and vertue. Hepothicary druggs of diverse sorts, some known to be of good estimacon, some strange of whose vertue the salvages report wonders—We can by o'r industry and plantacon of comodious marchandisze make oyles wynes soape ashes, wood ashes, extract from minerall earth Iron copper etc.; We have a good fishing for musles, w'ch resemble mother of pearle, & if the pearle we have seene in the Kings eares & about their necks come from these shells we know the banks. To conclude I know not what can be expected from a comon wealth that either this land affords not or may soone yeeld.

A Brief Description of the People.

There is a King in this land called great Powhatan, under whose dominion are at least 2oty severall kingdoms, yet each King potent as a prince in his own territory. These have their subjects at so quick command, as a beck brings obedience, even to the restitucon of stolen goods w'ch by their naturall inclinacon they are loth to leave. They goe almost naked, yet in coole

weather they weare deare skinns, w'th the hayre on loose; some have leather stockings up to their thighs & sandalls on their feet, their hayre is black generally, w'ch they weare long on their left side, tyed up on a knott about w'ch knott the kings and best among them have a kind of coronett of deares hayre colored redd, some have chaines of long lincks copper about their necks, and some chaines of pearle, the common sort stick long fethers in this knott, I found not a gray eye among them all. Their skynn is tawny not so borne, but w'ch dying and paynting themselves, in w'ch they delight greatly. The women are like the men—only this difference their hayre groweth long al over their heads save clipt somewhat short afore, these do all the labo'r and the men hunt and goe at their pleasure. They live comonly by the water side in little cottages made of canes and reeds, covered w'th the barks of trees; they dwell as I guesse by families of kindred & allyance some 4otie or 5otie in a Hatto or small village; w'ch townes are not past a myle or half a myle asunder in most places. They live upon sodden wheat beanes & peaze for the most part, also they kill deare take fish in their weares & kill fowle abundance, they eat often and that liberally; they are prop[er] lusty streight men very strong runn exceeding swiftly, their feight [fight] is alway in the wood with bow & arrowes & a short wooden sword, the celerity they use in skirmish is admirable. The King directs the battle and is alway's in front.

Their manner of entertainement is upon mattes on the ground under some tree, where they sit themselves alone in the midest of the matt, and two matts on each side, on w'ch they[re] people sitt, then right against him (making a square forme) satt we always. When they came to their matt they have another goes before them and the rest as he sitts downe give a long showt. The people steale anything comes neare them, yea are so practized in this art that looking in o'r face they would w'th their foot between their toes convey a chizell knife, peices of any indifferent light: w'ch having once conveyed they hold it an injury to take the same from them. They are naturally given to trechery, howbeit we could not finde it in o'r travell up the river, but rather a most kind and loving people. The sacrifice Tobacco to the Sunn fayre picture or a harmeful thing, as a

sword or peece also, they sprincle some into the water in the morning before they wash. they have many wives, to whome as neare as I could p'rceive they Keep constant. the great King Powhatan had most wives. * * * The women are very cleanly in making their bread and preparing meat. I found they account after death to goe into another world pointing eastward & the element & when they saw us at prayer they observed us w'th great silence and respect, especially those to whome I had imparted the meaning of o'r reverence. To conclude they are very witty and ingenius people, apt both to understand and speake o'r language, so that I hope in God as he hath miraculously p'rserved us hither from all danger both of sea and land & their fury so he will make us authors of his holy will in converting them to o'r true christian faith by his owne inspiring grace and knowledge of his duty.

[Endorsed] *Capten Newport of Virginias Discovery Virginia 21 June, 1607.*

THE STARVING TIME.

Letters from Lord De La Ware to the Earl of Salisbury.

[Near the close of the year 1608 Thomas West, Lord Delaware, was appointed Governor and Captain-General of Virginia.

The custom of the day was for the Governor-in-Chief to remain in England and the colony to be governed, immediately, by a deputy.

Accordingly, Sir Thomas Gates, Lieutenant-Governor, with Somers and Newport, and a fleet of nine ships left England in the latter part of May, 1609.

The great storm encountered, the wreck of the ship containing the three leaders on the Bermudas (which probably gave the first suggestion for "The Tempest") their lengthy stay at the

islands and final escape are events of early Virginia history too well known to require repetition.

Seven of their vessels had, in the first instance, reached Virginia safely, where it was seen that the colony was rapidly becoming disorganized. The "starving time" followed, and when Gates and his companions reached Virginia, May 24, 1610, they found only sixty half-starved wretches, who seemed more dead than alive. They were unceasing in their importunities that he should abandon the colony and return with them to England. After a few days he consented, and on June 7th with all on board, dropped down the river. Early next morning a boat from Lord Delaware was met coming up the river, and the colony was re-established, never again to be abandoned.

On the receipt in England of the news of the supposed loss of Gates, Lord Delaware determined to go Virginia in person, and, as has been stated, fortunately arrived in time to prevent the colony from being abandoned. After staying nearly a year, during which he did much to establish a firm and prosperous settlement, his health gave way, and in March, 1611, he returned to England *via* the West Indies. On this voyage he entered the mouth of the river, since called in his honor, Delaware. In 1618 he again sailed for Virginia, but died on the voyage.

Lord Delaware wrote, on his return to England, a "Relation," which was published as a pamphlet in 1611, and which was privately reprinted in *fac-simile* in 1868 by Mr. A. W. Griswold. A copy of the last in the Virginia State Library. The same "Relation" was also printed in Purchas' Pilgrimes.

There is among the Harlein MS. in the British museum a letter, dated Jamestown, July 7, 1610, from Delaware, and the Council, giving an account of affairs in Virginia up to that date. This has been published by the Hakluyt Society (in 1849) and in Neill's "Virginia Company."

The following letters were copied from the originals in the English Public Record Office]:

COLONIAL PAPERS, VOL. II, NO. 22.

Maie it please your good Lordshippe. Synce I departed from

your ho: I have meet w'th much comforthe, yett mingled w'th as manie lamentable accidentes, as ever your eares have binne filled w'thall and because S'r Thomas Gates who is the bearer hereof was the first that fownnd our men in miserie, I leave that relation to him as being best able to Informe and [?] and onlie tuche breeflie what myselfe canne Testifie.

The first of Aprill I departed the cowes [Cowes] in the Ile of Wight w'th 3 good shippes and in them an 150 p'rsons to lannd as Plannters in Virginia. The [12 aged p'rsons*] I made land, it beinge the Traccra Iland, that night the wynnd came contrarie and it blew hard, the next daie, that wee weare forced to seeke out a rodde unknowne unto our best marriners, and wee fared accordinglie, for 2 of my shippes lost theare annkors, and spoyled divers of thear men in seekinge to weye them, and the annkor of my ownne shippe came home so that I was forced to sea again, so sonne as my ankor was downne. The 15 daie I lost sight of my Rear Admirall and I continued beating uppe and downne w'th the wynnd contrarie to meete w'th our losse shippe but could not bee so happie the [wind] continued still contrarie, so that I was forced to runne to the southward to the hight of 28 degrees of northerlie Latitude, and untill the 27 of April I had noe wynned to carrie me forward one my course; but then the wynnd came fairer, and I went before the wynnd, till I came near the coaste of Virginia, so that time if it had not scannted I had recovered the place in lesse then 8 weekes, but I laye beatinge uppon the coaste that it was neare tenn weekes before I made the lannd, for it was the 5 of Junne beefore I sawe lannd, and that night I came to anne annkor at Cape Henrye, havinge the blessinge (wherein was Sir Ferdinando Wenman) in my companie. The next daie the wynnd beinge faier, I was faynne to take the opportunitie of the tide, to turnne uppe the river, and a little after noone I descried a sayle cominge in at the poynnte, and then I presentlie blae uppe w'th her, and when I came to make what shee was I fownnd her to bee my ownne consort that had binne missinge neare 8 weekes. The 6 of Junne I came to ann annkor under Cape Comfort, where I met w'th muche coold comforthe, as if it had not binne accompayned w'th the most happie newes of S'r Thomas Gattes his arrivall,

It had binne sufficientte to have broake my hart and to have made mee altogeather unable to have donne my kings or contrey anie service, Sir Thomas Gattes likewise beinge in dispaire of anie present supplie prepared himselfe and all his companie for England & mente to quite the countrye; uppon which advertisement I presentlie sent my skife awaie, to give him notice of my arrivall. w'ch newes I knewe would alter that resoluton of his, my selfe w'th all possible speede followed after, and meet him cominge downe the the river havinge shipped the hole companie and colonie in two small pinnesses with a determination to staie some tenn daies at Cape Comfort to expect o'r cominge and otherwise so to goe for Enngland havinge but 30 daies vittualles leaft him and his houngrie companie, soe upp'n the tenth of June I lannded at James' Town beinge a verie noysome and unholsome place, occationed much bie the mortallatie and idleness of owure people, so the next daie I sett the sailors a worke to unlade shippes, and the land men some to cleanse the Town, some to make cole for our forges. I sent fishermen out to provide fishe for our men, to save other provision, but thaie had ill succeese, likewise I dispached S'r George Sommers backe againe to the Bermudas, this good old gentleman, out of his love and zeale not motioninge. but most cheerfullie and resolutelie undertakinge to p'form so dangerious a voiagge, and if it please God hee doe safelie returnne he will store us w'th hogges fleshe and fishe enoughe to serve the hole colonie this wynter. Thus bie Godes assistance I will goe forward, imploying my best indeavors in settlinge and managinge these affairs. * * *
Althoughe thaie weare never so weake and so farr out of order as nowe I founned them I make noe question if God restore mee to health and give me a blessinge to my labours I shall verie shortlie in some measure recompennce the great care and charge the companie hathe binne at, and returne something valuable unto the adventurers, who have so [well?] beganne & constantilie seconded, these but as yett unfortunate proceedings, I make no question but your Lo: wilbee a favorer and a furtherer herein unto us, and make it your ownne couse, synnce it is undertaken for godes glorie, and our contries good; to both of w'ch you have binne so zealous and so faithfull a professor; assuringe

your Lo: you shall ever finnde me readie to execute all your comandements and to do you all the faithfull service that liethe in my power.

from
Lord De La Ware to my
Lord from Virginia
re: in Sep: 1610

To the right honorable my
most worthy and spetiall
frend the Earle of Salisbury
give this

[The next letter, written immediately after Lord Delaware's arrival in England.]

STATE PAPERS, DOMESTIC; JAMES I.—VOL. 64, No 63.

May it please your Lo'p:

I would gladly have wayted on your Lo'p the last night as soone as I came to toune; but I understoode from S'r Walter Cope that your advice was otherwise; first to have a care of my health, then to attend his Ma'ty, and afterward your Lo'p: for my health I thank God I finde myselfe perfectly recovered though something weake in regard of my long sicknes; ever since my first arrival at the Island I have recovered dayly and arrived at fiall [Fayal, one of the Azores] the 18th of Aprill or thereabouts so that I dare bouldly say that I have no touch of my disease remayning on me, and if your Lo'p shall think it fitt I would presently attend his Ma'ty. This long and paynefull sickness of myne hath no whit discoraged me to proceede w'th the business I have undertaken if it be now prosecuted as it is begun; neither had my retourne hither been so suddayne, if the windes had favored myne intention for the West Indies, at my departure from Virginia: for I dare bouldly say, there was never more hope then at this present and when it shall please your Lo'p; I doubt not but to give you full satisfaction to every doubt or scandall that leyeth upon that contry fearing nothing less then an honorable and profitable end of all, if now it be

not let fall, thus attending your Lo'p: further advice I humbly take my leave this 22th of June 1610. [This date should be 1611.]

Your Lo'p: servant to comannd.

(signed) THO: LAWARRE.

[*indorsed*] *to the right-honorable my very good Lord the Earle of Salisbery Lord high Tresorer of England give this.*

VIRGINIA LEGISLATIVE PAPERS.

FROM ORIGINALS IN THE VIRGINIA STATE ARCHIVES.

(CONTINUED)

ARCHIBALD BROWN TO JAMES WODDROP, 1775.

Arch'd Brown To Mr. James Woddrop,
Merchant, Norfolk.

Favoured by Capt. Scarvant.

Dear James:

Capt. Samuel Scarvant sailed this evening in the Sloop Mary bound for Turks Island there to purchase a load of Salt in consequence of your Letters, should he fail in getting he proceeds immediately to Hispanula & takes in Molasses for N. Carolina, but am in hopes he can get salt enough which I know is far the best & safest voyage. The Sloops Mast & boom are both sprung which obliges me (after having a survey taken) to replace them new, part of the corn is damag'd some of the bread & all the flour, have sold the last at Vendue, let the underwritters know of this, cannot as yet ascertain exactly the loss, her disbursements is more this time than usual in order to put her in the very best

order to preserve the salt. If you can possibly send her out again with any thing in, do it & that immediately a load of staves would sell for £25 p M, and is rising every day is there no chance of providing her out with a load from N. Carolina consistent with the rules of the Congress, should it be impracticable would haul her up in a fresh creek: & let her lie till better times, you are the best judge tho' therefore act as you please, but act with safety. Corn will soon rise here expect 5 or 6 p soon for all I've got. Cannot say when I'll be with you, believe some time in Feby, but not certain. I am, D'r James

Your

ARCH'D BROWN.

Antequa 21 Nov'r 1775.

Inform Mr. Maclester have sold 1000 bus. of Corn (not very good) at ⅔, & another 1000 for 5s.6 the remainder yet on hand.

A. B.

Capt. Servant recd. Two hundred pounds.

A. B.

WARWICK COUNTY COMMITTEE TO THE CONVENTION.

To the hon'ble the President & Delegates now met in Convention.

The Committee for Warwick having seriously considered the situation of the County together with a small Number of its Inhabitants who can by an ordinance of the late Convention be deemed as Militia, Humbly beg Leave at this present critical and dangerous Time to make the following Representation.

It is with the utmost Concern we behold the Depredations already committed in this & neighbouring Counties by the cruel and inveterate Enemies to the Liberties of America and the Rights of Mankind in General.

Were we in number sufficient to protect our County we should contemn the Devastations already committed and with vigor oppose the tyrannical and barbarous measures of our Enemies. But when the situation and Extent of our County comes to be considered and that our present Malitia including officers do not much exceed one hundred men & those but badly armed our application will we presume merit your attention.

Our County lies on James River near thirty miles there are more over Warwick River and several navigable Creeks which

make out of these Rivers so that the greatest part of this County is accessable to the Enemy: Our slaves stocks and every valuable effect are hourly subjected from this our exposed and defenceless estate to be taken away or otherways destroyed; but these Losses tho' great are trifling & are insignificant when we come to consider how Ourselves, Our wives and children * * to expatiate on this tender Point is unnecessary.

From this calamitous state of ours what can we do? Experience declares it impracticable for us to guard our shores & make any Provision for the ensuing year: We are however desirous (now struggling in a glorious cause) to risque our Lives & Fortunes in support thereof.

Nothing but dire necessity shall compel us to quit our Habitations whilst the least shadow of hope remains: But should we be thus compelled surely our stocks Grain &c. with the deserted plantations must be thought as a great acquisition to the Enemy & gives such a Footing as may prove dangerous to the common cause.

Many have already left the County and more we are persuaded will follow their example unless some assistance be given us.

Under these circumstances we apply to you for Relief and we doubt not but that with an additional Force of one hundred & twenty five men and our Militia we shall be enabled to prevent this county from falling into the Enemy's Hands. We therefore pray you will tender us this or such other aid in your wisdom shall think fit so.

By order of the Committee for Warwick County Decem'r 6th, 1775.

RICH'D CARY [Illegible.]

W. R. W. CURLE TO THE COMMITTEE OF SAFETY.

Hampton Dec'r 12th 1775

The Hon'ble the President of the Committee of Safety.

Sir: Still in expectation of meeting with a salt merchant, and determining to prevent if able all Provisions being carryed to our Enemy's, some of our people yesterday boarded below the Fort and brought to the mouth of the River, a new large schooner an exceeding fine Vessel, the property of Max'n Calvert

of Norfolk, commanded by one Francis Haines of said Place, 39 Days passage from St. Vincents: Her Cargo 1 Hhd 1 Tierce & 8 barrels brown sugar; 2 Hhd & a Tierce Rum and 2700 Dollars all brought on shore.

This we think of Consequence, and as we by these steps multiply on our hands disaffected Persons and negroes (3 of the latter being a board this vessel besides whites) we are the more anxious for the Direction or orders of the Committe of safety or Convention respecting those matters therefore send this up by Express.

The Inhabitants of this County and all here are greatly in want of the Article of Sugar having no opportunity to supply themselves, we wish and hope therefore that we may be now supplyed upon paying down an ample Price for the same.

Capt. Haines informs us that an Old Snow badly man'd mounting 14—4 Pounders, chartered by one Colo. Dalrymple, fited out at London, private Property Kenndy a Scotchman Master, sailed 4 or 5 days before him from St. Vincents, where she called on her way, to Boston with 60 or 70 Pipes of wine, from Madeira which vessel he thinks He seen Sunday last off our Capes who fired several Guns as if in Distress, if we had but Powder and orders to fit out an armed Vessel I think we shou'd give a good acct. of some of those Gentry.

I have the honor to be Your very h'ble Serv't

W. R. W. CURLE.

The Let'rs by this Vessel we now send up to be dealt with as shall be thought right.

ANDREW SPROWEL TO PETER PATERSON.*

Mr. Peter Paterson

S'r. I Refer you to my former by this conveance at Williamsburg there is about Two thousand men from Diferent Countrys also about 800 men over at Cobam Intended this way threatening to Burn Norfolk & Portsmouth as they expect. We are attached to Government [ ] Gunsloop & severall Tenders

* Intercepted letter of a Tory.

up that way Pelting them now & then. on the 14. Instant—about 100 Grandiders & 40 Volunteers proceded to the Great Bridge landed there in the morning expecting to meet with 60 Shirt men had been there and was gone the day before The Grandiders & Volunteers proce'd by Land from Bridge to Kemps where there was 300 in arms Country people under the comand of Colo. Lawson Mat Phrip Doctr. Wright & others lodged in a thicket near Colo. Walks as the Soldery comanded by his Lordship pased the thicket They firred on the Soldery wounded one Grandiders. The Soldery Returned the fire then Run into the wood they all fled they killed seven & two drownd & took 14 prisoners among which is Colo Hutchings & Lawson, now confind aboard the Man war.

His Lordship then Issued a Proclamation and set up the Kings Standard & proclaiming all negroes belonging to Rebels to be free—about 300 then came into the standard took allegiance to his Majesty & Disavowed the Congress, and all adheared thereto. Since the Standard Erected at Norfolk and about 500 came in and swore allegiance by which if faithfull will be able to Defend themselves against opposition with the assistance of the Troops who Remains at Gosport & man-war. Britan has left the friends of Government without assistance to be Burned. This is the only stand made in the Continent and by a handfull men. Two thousand men would settle this Colony and some man-war-men are expect dayle & laying for them no late orders from Boston no communication between this & Williamsburg nor hampton no passing without passes from Comites, from all appearance maters has a good prospect and I would have no fear in bringing in a Vessell with ornligs. Irish linens & other suitable goods would be protected by the Man-war. The only obstruction neither Wheat Bread or flour or Tobacco admit'd by their Comites down the Rivers all will be [Illegible] the man war more arriving—my compliments to all friends.

I am yours ob. st.

ANDREW SPROWEL.

Gosport 19 Nov'r 1775

Letter to George Brown.*

Nov'r 1775

Mr. George Brown

Sr.

I have now your favours—unanswered our [Illegible] Encreasing more & more our comites of Safetie & comites [Illegible] all the Counteys Infntery men as soldurs & minute men as they call them which are to be in Readnes on a call. Two thousand men at W'msbg a number at hampton Threating coming to Portsmouth & Norfolk and Burn these Towns Declaring to many them afected to Goverment about 300 Regulars of the fourten Regiment at Gosport in my stone house able to defend themselves against a thousand & more of our Virginia men more forces expected dayle from Augustine most astonishing no letters since May from the Ministry to Lord Dunmore. But some four & ships were dayle looked for from Britan (God send them soon.)

The People in Norfolk & Portsm'th has been struck with such a Panik all Removing into the Country & their efects. The Virginians all against the Scot men Threating to Extirpate them, while the Soldery remains at Gosport I am safe General Gadge gone to Britan on Lord How Delawar comand the Admiral Graves said to be superceded by S'r Peter Dennis both Gadge & Graves has been [Illegible] a great character for some months past little or nothing done at Boston. The Konatiket men atacked St. John with two thousand men was Repulsed & killed there said neer a thousand took five Col'os [Illegible] that all the Towns on the water to the north'd will be laid in ashes [Illegible] at New York they will change to Government. I also expect that all the houses & Towns in this Colony Disafected to Government will be laid in ashes by the Man war. excep Portsmouth & Norfolk except done by those Rebelious people. Hampton was nearly Burnd by the man wars Tender. for there Burning a Tender & [Illegible] no satisfaction an atempt said to be sent against Philadelphia. They have been sinking Vessels near the Towne to Prevent them and Erecting

* Intercepted letter of a Tory.

fortifications. No Persons alowd to come within 30 miles of Norfolk no intercourse up the Rivers no newspapers this way alowd no intercourse with Williamsburg nor hampton such is our Dismale situation some of those Rebels aboard manwar a quantity powdor was got into Carolina & from thence to Williamsburg otherwise they most been more Painful having none before most people here puting their efects at Gosport & aboard ships all on account & fear of the Prevent all forces, men and man war would settle the Point in this Colonys.

The Custom House oficers Removed to Norfolk will be settled at Portsmouth & seat Goverment there when matters are settled Gosport now a garison without this place it would not been in there power for the Goverment making any head or stand here & the man war & they could done nothing without my situation. He who brought in the powder this day taken & aboard man war his name is W'm Goodak* brother in Lawe to John Shaden wher gone home & young Jno. Goodak his brother also aboard man war & severall. So much for the news & the Dismale situation of this Colony.

ANDREW SPROWEL TO GEORGE BROWN.†

Gosport, Nov'r 5th 1775.

Mr. George Brown

Sr. Referring you to what I have wrote some days ago by this conveyance It appeared to me as we have the comand of this part of the Colony by our Troops & man war & more dayle expected we may Importe what we please by the Threatnings since part of the shirt men so called by wearing shirts. Embodied at Williamsburg that they intend this way & Burn Norfolk & Portsmouth as under the Protition of the Gover. & man war has causd a Panic in the Inhabitants caused many to remove

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*The name should be Goodrich. John Goodrich, John Goodrich, Jr., William Goodrich and Bartelet Goodrich of Isle of Wight county, who were actively engaged in sea-faring enterprises, were at first friendly to the Colonial cause and brought in powder from the West Indies. Later they joined Lord Dunmore and all ultimately were among the refugee loyalists who left Virginia.

† Intercepted letter of a Tory.

themselves & efects into the Country should more man war & sloops arive am convinced they never will attempt it. Peyton Randole our speaker & chairman of the Congress dead at Philadelphia. This covers upon a small aditional Invoice which please ship in Dunmore If not sailed. If sailed there are some Vessels belonging here to return to Virginia Capt. Paterson will get them shiped but before purchased write Peter Paterson If he can ship them under cover you have Robt. Gilmore bill on Bagle & Co. for 100 p ster. when paid advise as another man has some share therein If protested Return Mrs. Hunter ordered her daughter Kate to stay at Mr. Logans three months for her Education and Depended on Mr. Donaldson paying for Board and schooling also some clothes. By there advices to Ms. Hunter Mr. Donaldson is backward Have therefore given Ms. Hunter a few lines to you to be Inclosed Ms. Logan In case Mr. Donaldson has not paid for Kates schooling & Board you will suply Mr. Logan with Twenty pounds ster. for that purpose I expect dayle to hear dayle of the Troops ariving at Boston ( ) & since here. I am with Regards yr. mo. obt. servt.

ANDREW SPROWEL.

ANDREW SPROWEL TO GEORGE BROWN.*

Gosport Nov. 5th 1775.

Mr. George Brown

Sr. Refering you to mine by this conveance you must know that Mrs. Hunter ordered her daughter Kate to Glasgow there board with Ms. Logans for three months to atend her schooling gave orders to Mr. Donaldson to pay that expence by Kates education her mother Ms. Donaldson has Refused—Enquire if so—and if not suplied pay Mrs. Logans Twenty pounds ster. for that account which charge to account.

Yours most Humblest

ANDREW SPROWEL.

Bad and Hard are the times here no colecton Debts.

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* Intercepted letter of a Tory.

JOHN RICHARDS TO EDMUND PENDLETON.

Falmouth* December 14th 1775

Edmund Pendleton Esqr.

Dear Sir: This is no doubt but a certain John Daw will appear before you as a Culprit for attempting to induce some Soldiers to desert from Capt. Morgan Alexanders† Company & go over to Lord Dunmore, his conduct in that case is certainly highly blamable & what no person ought or can justify but I hope our cause is too good to be prejudiced by any person of his Insignificiancy & what cou'd induce him to behave in that manner is most extraordinary as I have known him ever since he came to the Country & he has been always remarkable for being very Industrious, Quiet & saying little to any person on almost any subject. I have presumed to mention this to you as facts that I know well & perhaps it may in some measure be a mitigation of his punishment which by some here is thot to extend to the loss of life or member and if I have said too much I hope you will excuse the freedom of Dr. Sir.

Yr. obt. Hum. Servt.

JOHN RICHARDS.

DEPOSITIONS.

Capt. Alexander being (Illegible) on oath saith that he recd. no money to advance to his men who on that account are not well supplied with necessaries: they nevertheless behaved very well and made no complaints for the want of them til Sunday morning the tenth of this month when the men appeared very mutinous & on enquiring into the cause was informed they had been the evening before on board a vessell belonging to John Dew lying at Fredks. who had represented to them that the King found his soldiers better cloathing than the Country did & advised them to goe to the Governor the Deponent thinking it proceeded from some small debts they had contracted at

* Falmouth in Stafford county, near Fredericksburg.

† Morgan Alexander, born January 10, 1746, was son of David Alexander, of Gloucester county. He was Captain 2d Virginia Regiment, November 27, 1775, Major December 23, 1776, transferred to 8th Virginia, March 22, 1777, resigned May 16, 1778, and died 1783.

Fredericksburg contrived to get some money & distribute among them, after which they all appeared easy, except two who the deponent believes deserted on that account. That he was next morning desired by Fielding Lewis & Charles Dick to bring the s'd Dew to the comm. of safity & in the journey at Mr. Pages one Geo. Hamilton assistant to Garvin Lawson owner of the Vessell in which Dew sailed came and desired to speak with the prisoner which he was allowed to as in the Deponents presence he blamed Dew for his conduct in declaring his sentiments before matters are ripe.

MORGAN ALEXANDER.

Charles Woods a Corporal in the Compa. of Morgan Alexander being ex'd on oath saith that on Saturday morning the 9th of this month he & Richard Partridge another Corporal in the s'd Company went on board a Vessell of which Jno. Dew the prisoner was Skipper to eat oysters, & being in the cabbin Dew mentioned that the King found his soldiers four new shirts & a good suit of clothes & paid for their washing & 3s.6 sterl'g p. week pay free Quarters & advised them to goe to the Governor that they might get a free passage, but did not say how That forty thousand Troops were to be sent here Hanoverians Russians & others. That many others of s'd Company were on board that day & the next morning when the Company generally app'd uneasy declaring if they were not supplied with money they would club their Musquets & return home—this deponent believes it proceeded from the conversa. they had with the Prisoners & that the desertion of one of the men proceeded from the same cause, having behaved quietly before that time. The said Richard Partridge having been sworn & heard this deposition read declared that the same is true.

his
CHARLES E. WOODS
mark

RICHARD PARTRIDGE.

The foregoing witnesses were sworn in presence of the prisoners & their Depos. taken by order of the Committee of

safety & submitted to the determination of the Honble the Convention.

EDM'D PENDLETON S.

Spots'a Sc. Upon Information from Capt. Alexander that a certain John Dow a master of a vessell had been endeavoring to persuade some of the Regulars in his Company to leave the service of the Colony and repair to Lord Dunmore where they wou'd have all manner of encouragent the said John Dow being brought before us and the Evidences Charles Wood & Richard Partridge being first sworn it appears to us that the said Dow is guilty of the Charge and that he be convey'd to Williamsburg to the Committee of safety for a farther Trial and the said Capt. Alexander is desired to take the said John Dow into Custody for the purposes aforesaid. Given under our hands this 11th Decr. 1775.

FIELDING LEWIS
CHAS. DICK.

SIMON & CAMPBELL TO THE CONVENTION 1775.

To the Honorable the President and the members of Convention the Petition of Joseph Simon & John Campbell.

Humbly Sheweth

That your Petitioners being in Partnership had a store at the Town of Pittsburgh* and supplyed the Soldery under the Command of Lord Dunmore in the late Indian Expedition with Sundrys which your Petitioners had appraised as the Act of Assembly in that case provided directs which appraisements the Commissioners appointed by your Honorable House to adjust the Militia accounts in the Northern Districts refused to allow your Petitioners to the great Injury of your petitioners. And your petitioners further shew unto your Honorable House that they advanced Major John Connolly sums of money and other

* At this time Pittsburgh was claimed by Virginia as within its boundaries (in Augusta country) Fort Dunmore or Pitt had been built there by Virginia and it was held by a garrison from that Colony. On January 2, 1776, the Virginia Convention ordered payment to be made them.

things to a considerable amount depending wholly upon his pay as an officer for payment which pay he assigned to your Petitioners (before he attempted to perpetrate his Diabolical Plot for this detection in which your Petitioners greatly Rejoice) but the Commissioners before mentioned refused to settle any part of the said Major Connollys pay with your Petitioners.

And your Petitioners also further shew unto your Honorable House that your Petitioners Received assignments from sundry Officers and men who were in the service at Fort Pitt before the 26th May 1774 for their pay which the commission as aforesaid would not allow to your Petitioners.

Your Petitioners also show to your Honorable House that they have purchased & received assignments from sundry Artificers for their pay whilst employed in repairing Fort Pitt and Building Fort Fincastle and for sundry Materials used in them Works which the said Commissioners as told your Petitioners were to be reported to Convention. They therefore Humbly pray that your Honorable House would grant them such Relief in the premises as you in your wisdom shall think most proper and your Petitioners as in Duty bound shall we ever pray &c.

CHARLES DUNCAN* TO THE CONVENTION 1775.

To the Honorable the President & the other Members of the Convention.

The Memorial of Charles Duncan of the Town of Blanford in the County of Prince George.

Humbly Sheweth

That your Memorialist who has long carried on business as a merchant in this Colony that for some years had a store in the County of Brunswick on account of himself & divers others his Partners which has for some time past been under the care and management of one Thomas Crawford who has always been in the esteem and good opinion of his Customers and acquaint-

* Charles Duncan was a prominent Scotch merchant. His letter shows the situation in which many adherants of the mother country found themselves.

ances, and has ever since the present unhappy dispute with great Britain began endeavoured to conduct himself in such manner, as to avoid all cause of offence towards any of the inhabitants of the Colony, & has also endeavored as far as in his lay to conform to the regulations laid down, and recomended by the Honorable Congress and Convention of this Colony by acceeding to the General Association, and by a chearful submission, and conformity to the Terms thereof. Under these circumstances your Memorialist, as well as his Partners Factors and servant hoped they should have been permitted to transaet their business and conduct their own affairs in quiet and security without being called upon or compelled by any set of men under an assumed authority either to enlist as soldiers or take part in any Military regulation other than they are bound to adopt either by the Laws of the Colony or the recommendation of the Convention.

But such is the unhappy situation as well of your Memorialist, as his Partner & servants in the County of Brunswick that they have been called upon by the Gentleman who commands the Voluntier Company in the said County to enlist as Soldiers therein, under pain of incurring the displeasure of the said Company, and of being treated as enemies to the Country and exposed to all the violences that may happen from the mistaken zeal of men heated by Passion & prejudice and who treat with disregard the peaceable remonstrances of your Memorialists with no other alternative left them than either to desert the property and Interest which they have in the said County, or remain therein to protect their property at the hazard of all that is dear and Valuable to Freemen & good Citizens.

Your memorialist presumes humbly to hope that this Convention will take this matter into consideration and so provide for the safety and protection of this Factors and assistance aforementioned and others under like circumstances as to them in their wisdom shall seem meet.

And your memorialist as in duty bound will ever pray &c.

CHARLES DUNCAN.

CHESTERFIELD PETITION, 1775.

To the Honorable the delegates of the several Counties and Corporations of the Colony and Dominion of Virginia met in Convention at Richmond.

The memorial of the Committee of and for the County of Chesterfield.

Sheweth

That it hath been doubted whether the Company of Volunteers raised for the defense of the Colony in the several Counties are under the command of the officers of the Militia and if they are not, it is to be feared that many inconveniences may follow not only from the distinct powers of the two orders, but from one of them assuming an authority independent of any Military controul by Law established and that your memorialists have the more reason to apprehend some such inconveniences from a late transaction in this County, where a dispute of this kind produced some disorderly behaviour in a muster field.

Your memorialists therefore hope that this Convention will take the matter into consideration and make such regulations therein as to them in their wisdom shall seem meet.

Signed by order and in behalf of the Committee for the County of Chesterfield.

BERNARD MARKHAM.
Chairman P. T.

REVOLUTIONARY ARMY ORDERS

For the Main Army under Washington. 1778-1779

(From Originals in the Collection of the Virginia Historical Society.)

(CONTINUED.)

[The pages immediately following, which have been discovered out of place in the manuscripts, cover a period prior to any of the orders which have been printed.]

upon all Officers to use their endeavours to * * * punishment all those who shall offend herein—After O the Comm. in Chief is informed that Captain Lee,* and Lt. Linsey, had but a Corporal and four Men to Assist them in the manly opposition to the British light horse, Majr. Jamson was axedentally their, and justly merritts a share of the praises due to this Brave little party.

D. O. for the Left wing January 20, 1778.†

Genl. Patterson is kind enough to undertake the Superintendance of the Fortification of the Left Wing, all the men not on duty in their Respective Brigades in this Wing are to Parade every morning at 9 O'Clock, to be employed in the Fortification of the Camp, under the desire of the General each Brigade is to furnish a field Officer, to Command the fatigue Parties, all Officers not on duty, under the Rank of field Officers are to turn out with the men, his Excellency the Commander in Chief desires the Officers to exert themselves, to put the Camp in a defencable Condition as soon as possible.

N. Green, M. G.

* Captain Henry Lee and his Lieutenant, William Lindsay, both of Virginia, officers in the 1st Continental Dragoons.

† The headquarters of the Army were at Valley Forge.

Head Quarters January 21, 1778.

Maj'r Gen'l tomorrow B. D. Calb,* Brig'r Scott.
f. O. Lt. Colo. Millins Maj. Winder.
Brigade Maj'r Bryan.

The Commander in Chief approves the Report made by the Brigaders and Officers Commanding Brigades in the Virginia Line and Orders that the Men whose time of Service is expired be discharged and marched home, by proper Officers in the maner they are derected, the Brigadiers are also to see that the Arms and accoutrements of such men, are Returned to the Brigade Q. M., in Order that the Arms and discharges may Corespond, and by them delivered to the Commissary of Military Stores, whose Receipt is to be taken for what is Delivered, all Blanketts are to be stoped and other Articles belonging to the Publick—The Brigadiers &c. will Cause proper Care to be taken of the first, and see that the latter is delivered into the hands of the Q. M. G. or other proper Officers—notwithstanding the printed and frequent Orders, which have been Issued, to have all deserters reported at Head Quarters, it is by indiscreat and Casual information that the knowledge comes to the Gen'l, exceepting the General Returns, which are exceedingly Iregular, he therefore in peremtory terms now Calls on the Brigadiers to see and know the Rolls of their several Regiments over Called Over agreeable to former Orders, and that all Deserters, Specefying the Regiment and Company they belong to, are to be Reported by them to the Maj. Gen'l of the Day, who is to present the whole in one View to the Commander in Chief—The Brigadiers are Requested to use every posible means, to apprehend Deserters, or this Order will not be dispenced with. The Gen'l also does in positive terms declare he will have a Gen'l Return of the Army, delivered him every Monday at Orderly time—The Adjutant Gen'l is therefore to pay perticular attention to this matter, and Consider himself responcable for the performance, unless he Arrests every delinquent who Causes the failour, in the next monday Return, the Officers in the Virginia line are to assertain the number of Men

* This is the orderly's abbreviation for the Baron De Calb.

whose times of Service will expire shortly—It being impossible for the Surgions of the flying Hospittles to make effectual provision for the Sick out of Camp, unless they are sent to the place by them appointed and furnished for that purpose, all Officers & Regimental Surgions when any of their Corps are proper Objects for the Hospittle, are Immediately to applie to the Chief Surgion of the flying Hospittle, present in Camp and take his derections where to send the Sick. a Contrary practice has been attended with great inconveniency and proberly the Death of several Men, many have bin sent to Hospittles already Crowed with patiants, or to places where no provison has bin made for the Sick, and in Order that the Sick which shall Remain in Camp from time to time as well others before they are sent to Hospittles may be properly taken Care of the director General of the hospittle is as soon as possible to furnish the Regimental Surgion with Medecine Chests supplied with such Medacines as are necessary for the Sick in Camp.

When flaggs go to Enimies lines, all Officers are positively forbiden to go with them, unless they Receive proper Orders therefor—

At a G. C. M. whereof Colo. Clark was President held January 19th Lt. McGibany of the 1st North Carolina Regiment, tryed for imbeseling or missapplying the Money with which he was Intrusted, for Enlisting Men into the Service, also for takeing bribes to discharge Enlisted Soldiers from the Service, was unanimously acquited of the Charges—at the same Court held the 15th January Capt. Joseph Brown of Colo. Bigalows Regiment, tryed for Suffering two Prisoners to escape from the Provo Guard was unanimously acquited of the Charge exibited against him—the Commander in Chief approves the Sentances and Orders them to be Released from their Arrests.

ADVERTISEMENT.

Lost this day in or near Camp a large Red Leather pockett book belonging to Mons'r Govan Lieutenant Colo. of Engineers Containing his French Commission, his Commission from Congress and 104 Dollars. who ever will bring him his Book and Commission shall have the Money.

January 22. for Piquet 1 Serj & 6. for fatigue 1 Sub 1 S & 5 to parade at half after Seven with their Arms.

Maj'r Gen'l to morrow Green Brigadier Varnon f O. Lt. Colo. Ballard & Lt. Colo. Carlton Brigade Major Minnis.

Head Quarters January 23, 1778.

Maj'r Gen'l tomorrow Lord Sterling.

Brigadier Huntington.

f. O. Colo. Bigalow & Maj'r Haris.

Brigade Major Claybourn.

The Gen'l Officers & Officers Commanding Brigades will meat to morrow Morning at General Sullivans Quarters at 10 O'Clock for the purpose mentioned in General Orders the 20th Instant.

Serjeant How is appointed Provost Martial Protempory Vice Capt Snagg who has Resigned. Brigadiers & Officers Command Brigades are Immediately to make Returns of the deficiences of Bayonets in their Respective Brigades to the Adjutant General.

As several farmers has Complained notwithstanding the Certificates granted by the Commissary General of forage, of their having furnished their Quotas of forage assigned them, further demands have bin made upon them, so as to deprive them of what was Reserved for their famylies use, the Gen'l Strictly prohibits such unjust proceedings, & desires that more respect may be paid to the forage Master Generals Certificate for the future.—At a G. C. M. whereof Colo. Craigg was Presidant held the 20 Instant Lt. Col. Lindlay and Brigade Maj'r Baley tryed for non attendance on the Grand Parade, in proper time, the former when field Officer and the latter when Brigade Major of the Day, found Guilty of the Charge exhibited against them, being a breach of Article the 5th Section the 18th of the Articles of War, and Sentenced to be Reprimanded in General Orders, the Gen'l approves the foregoing Sentences and is Surprised that he is under this disagreeable necessity of Reprimanding Officers for a breach of duty so well known, & which ought to be performed with the greatest punctuality, and as exact Discipline and strict obedience to Orders is a Soul of an Army & foundation of Success whilst the Contrary may be productive of

the most fatal Consequences, he flatters himself that every Officer as in honour & duty bound, will be emulous to pay the strictest attention to Orders.

Head Quarters January 24, 1778.

Maj'r Gen'l to morrow M. D. L. Fayett.

Brigadier Poor.

f. O. Colo. Bowman* & Maj'r Stubbefield.

Brig'd Ma'r McComack.

Three days Provisions are to be Issued to the Troops Mondays & four days on Thursdays.

Head Quarters Jan'y 25, 1778.

Maj'r Gen'l tomorrow B. D. Kalb, Brigadier Patterson.

f. O. Colo. Booker & Maj'r Porter, Brigade Maj'r McGowin.

Colo. Vost and Lt. Col. Carlton is to Command the fatigue party.

No Officer is Subject to be Tryed by a Brigade or Devision Court Martial unless he Consents thereto, which is to be noted in the proceedings of the Court as it is necessary for Muster Roll to be made out in one form the Officers are to make them out agreeable to the form given them by the Muster Master —— at a Brigade Court Martial whereof Lt. Colo. Ballard was Presidant Capt Zaine† of the 13 Virginia Regiment tryed for acting in a Cowardly manner when sent on a Scouting party the 12th of December last by Ordering his men to Retreat, when having a Considerable advantage over the Enemy found Guilty and Sentenced to be discharged from the Service, the Commander in Chief approves the Sentence and Orders it to take place Immediately.

B. O. January 26, 1778. A Court of enquiry from the Brigade to sett this Morning at 11 O'Clock to enquire into the

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* Abraham Bowman, Colonel of the 8th Virginia, and George Stubblefield, Major 1st Virginia.

† Captain Silas Zane, 13th Virginia regiment.

State and treatment of the Sick belonging to the Brigade, and into the Cause of the great mortality amongst them, to inable the Court to make a just Report, all the Surgeons in the Brigade will attend at the same time & place. Lt. Colo. Davis President. Members. Captains Anderson, Hubly, Pelham, Meriwether Bell & Morriss.

[The following entry was evidently placed in this book by mistake.]

Head Quarters Valley Forge May 10, 1778.

Brigadier to morrow Poor. F. O. Lt. Colonel Starr & Maj'r Nicholas.

Brigade Major Minnis.

Inspector from Huntingtons Brigade.

	C	S	S	C	P
for Guard	1.	1.	1.	5	
To Command with 2 days Pro'n . . .			1.	1	
To Command		1.	1.	6	
Gen'l Muhlenburgs		1.	1.	9	
	1.	3.	4.	21	

[The first volume of orders ends with the preceding entry.]

[Another volume of the manuscript order books begins here. It also precedes in date the orders which have been printed.]

Head Quarters Valley Forge, March ———.

Major Gen'l for to Morrow Lord Sterling. Brigadier Poor —— Field Officers Colo. Bassett* & Lt. Colonel Davice, Brigade Maj'r Haskell. The Sentence in Yesterdays Orders respecting Lt. Dickerson therein set forth, to belong to the 5th Virg'a Regim't is a mistake, as their is Not, nor Never has been, such an Officer in the Regim't. Occationed By some villian, who Imposed himself upon the genteel men—Who Constituted the

* Barakiah Bassett of the 14th Massachusetts.

Court, in that caretor, their distance from Camp Prevented a sooner discovery of this Imposition.

	S	C	P	
Picquet.	1.	1.	3.	Detachm't 1 private. Fatigue 1 private.

Head Quarters, 14th March, 1778.

Major Gen'l to Morrow Green, Brigadier, Muhlenberg. Field Officers Lt.. Colo. Brown & Major Crupper.* Brigade Major Alden.

The Commander in Chief is inform'd that notwithstanding his Orders of the 12th of Jan'y last, the carcases of dead horses, lay in & about Camp. And that the Offil of the Commissarys Stalls, still lay unburned. That Much filth &c are spread among the Huts, which are or will Be soon adjuced to a state of putrification & Occation a sickly Camp. Out of tender regard for the lives & health of his brave Soldiers and Was surprised that so little Attention was paid to his Orders he again In the most positive terms Orders & Commands that the Q. M. Gen'l Applies for men from time to time to bury such horses, as shall lay at Any considerable distance from Camp, so as never to permit any of Them to lay Unburied & that he compells some of his Assistance to see this Order Strictly complyed With. Divisions & Brigade Q. Masters Are to pay the strictest Attention to it in or near there respective divisions And Brigades. Division & brigade Commissarys are constantly To bury the Offil & damaged provisions Near their quarters, the command'r of divisions & brigades are desired to see this Order strictly Obeyed and Further that the field Officers of the day take particular Notice of any Neglect thereof. The Commanding Officers of Regim'ts & corps will Immediately Order their Q. Masters to see there Respective Incampments cleaned There old Vaults filled & New ones dugg once a Week, all filth and Nastyness buried & that fresh earth be put into the Vants every day.

The Above Orders are Asentionally Necessary, prepare

*No officer named Crupper appears in Heitman. John Cropper was then Lieutenant-Colonel 11th Virginia.

* * * of Ignorance Will be Admitted & the least breach * * Noticed—in Case a Non Commission'd Officer or Soldier is Mustered out by the Commissary of Musters, the brigadier or Officer Commanding brigades will give them discharges either to return to their Own homes, or to go into the corps of tnvalides at the Option of the Men, they will not transfer them to that corps unless fitt to do duty in it.—A flag Will go into Philadelphia Next Monday any Articles to be sent into our prisoners, they must be left with the Commissary of prisoners previous to that time—A board of Gen'l Officers Will sit at Lord Sterlings Quarters to Morrow Morning 10 O'Clock to Settle rank of the field Officers in the Massechusetts line All Officers concerned are desired to Attend & perfer the promotion.

Head Quarters March 14th 1778.

Major Gen'l to Morrow Lord Sterling Brigadier Patterson.
Field Officers Colo. Meade & Major Bland.
Brigade Maj'r Marvil.

At a Gen'l Court Martial Whereof Brigadier Gen'l McIntosh was Presid't March 10th 78, Colo. Wm. Cook of the 12th Pennsylvania Regim't try'd for disobedience of Orders in sundry instances, to Wit About the 20th Decem'r last when The enemy Advanced Over Schoolkill the brigade to which he belong'd was Ordered & did march towards the enemy but Colo. Cook Absented himself from his Regim't & did not join it again within that service which was Near ten days after the Regim't was in Camp again about two days—Colo. Cook after haveing been refused leave of Absence did without leave Abscond from Camp & Never returned till two or three days Since—For giving leave of Absence to Officers of his Regim't & Reporting them Absent without leave, for which they were brought before a Court Martial & Aquitted, the court haveing maturely considered the evidence Produced, are of Opinion that Colo. Cook after haveing been refused Leave of Absence, did Without leave Absent himself from Camp And did not return till Near two Months after he went away Being a breach of Orders 22d Decem'r last, and Contrary to good Order and Dicipline, and do sentence him on acco't of some particular circumstances, and on

Acco't of the good carrector he has sustain'd as a good Officer, Only to be reprimanded in Gen'l Orders, but aquit him of furloughing his Officers & reporting them Absent without leave. The commander in chief Aproves the sentence & hopes that the Disgrace to an Officer of Colo. Cooks rank of being found guilty of leaveing camp without permission will be A Sufficient * * At a Gen'l Court Martial whereof Colo. Tupper * * * March 10th 78 Lt. ——— of Colo. Malcom's Regim't try'd for Attempting to commit sodomy with John ——— a soldier, 2dly for perjury in swearing to false Acco'ts found guilty of the charges Exibited against him being a breach of the 5th Article 18th Sec. of the Articles of war, and do Sentence him to be discharged the Service With Infamy—The commander in chief Aproves the sentence And With Abhorance & detestation of such Infamous Crimes Orders Lt. ——— to be drum'd out of camp to Morrow Morning By all the drums & fifes of the Army, Never to return, the drums & fifes to attend on the grand parade at guard Mounting for that purpose—At a Court on enquiry held in the brigade of Artilary Whereof Lt. Colo. Stranghbro was presid't March 11th, 78 to examine into A Complaint exibited by one John Wilson Capts. Rice & Proctor Sen of Colo. Proctors Regim't for plundering & takeing by force and for Permiting a Soldier to take a quantity of house hold furniture And Other Articles from the complainant, the court after hearing the evidences & Alligations of the parties, are of Opinion that the charges exibited against Capt's Rice & Proctor Sen'r are groundless consequently the complaint is squashed.

	S	S	C	P
Detail for Picquet .	1.	1.	0.	3
Fatigue . . .	0.	0.	0.	1
Weeks Comm'd . .	0.	1.	0.	2
	1.	2.	0.	6

Head Quarters March 15th, 1778.

Major Gen'l to Morrow Green. Brigadier McIntosh.
Field Officers Lt. Colo. Wigglesworth & Major Farmer.

Brigade Major —— Minnis.

The Gen'l Court Martial whereof Lt. Colo. Tupper was pres't is hereby dissolved, and an other ordered to sit to Morrow Morning at 10 O'Clock, at the Adjutant Gen'ls Quarters. Colo. Swift is Appointed Presid't each brigade gives a Capt. for the court, all evidences & parties concern'd are to Attend, at the time & place Mention'd. More especially against the Inhabitants of the state, now confined In the provost, as their tryal will come on to Morrow.

Many inconveniences & injurys having Arisen to the —— From the powers exercised by Officer, in granting furloughs * * * the Continental Congress to prevent the like * * * have been pleased to resolve that the commander in Chief Or the commander of a separate department shall have full Power & authority to suspend or limit the power of granting furloughs Or leave of Absence, and to reserve it wholely to himselfe, or to Impart to such Officer or Officers, under him as he thinks fit, According as he shall Judge the good of the service requires, and that no Officer under coulor or pretence of Authority, to him granted by the 2d Article of the 4th Sec. or any Other Article, in the rules and regulations of War grant any furloughs or leave of Absence Contrary to the Orders of the commander in chief or commander of department, under pain of being punish'd for disobedience, all Officers arè to pay strict Obedience to the foregoing resolution, and none are to grant furloughs or leave of Absence on any Pretence whatsoever, except such as are Athorized by Gen'l Orders, and they only under such limitations & restrictions As have been or shall be Appointed by the commander in chief. All passes to soldiers going out of camp are to be taken from them on return by the Officers command guard & destroy'd. The Markets which have been held heretofore on the Other Side Schoolkill, is to be held in futer on the west side of the Bridge, The Gen'l perceiveing that there is great Abuse and Waist of hides from the present Mode of leaveing them with The brigade till exchanges can be Affected, directs in futer that the commissary of each brigade will deliver all The hides produced in his brigade to the commissary of hides takeing his Rec't for them, and keeping an Acc't with Him for the same, the brigade will still continue their Contracts as here-

tofore directed and for the performance Will give orders upon the commissary of hides, who is hereby Required to make returns the 1st day in each Month at Head quarters, of the Number of Weight of hides rec'd & Issued by him, the Most convenient mode of delivering the Hides, will be to send daily by the brigade provision Waggons to the commissary of Issues, where they will be rec'd by the Commissary of hides, and a Rec't given for them, the Commissary of hide will Attend at head Quarters to Morrow Morning at 10 O'Clock, at a Gen'l Court * * * Whereof Colo. Tupper was presid't March 78 Lt. Olliver was try'd for sending a Corporel & a file of Men into Colo. Steuarts Regim't to seaze a Cagg of Whisky belonging one of his Officers Without consulting Colo. Stuart or any of his Officers, upon Mature consideration the court are of opinion that Lt. Olliver is guilty of the charge exibited against him And think however lawdable Lt. Ollivers Attentions were on seazing the Whisky or men who sold it, the Mode he fell on was by No means Justifiable, as Many ill Consequences must Necesarily follow the practice of sending a file of Men into an Other regim't to seaze any thing without application of the Commanding Officer, the Gen'l Confirms the Opinion And orders Lt. Olliver to be discharged from his Arest.

At the same court the 11th Inst. Edw'd Grissatt tryed for going into Philadelphia found guilty & Sentenced to Receive one hundred lashes, the commander in Chief Aproves the Sentence And orders it to take place to Morrow Morning, at guard Mounting on the grand parade, the Regimental Pay Master & Others who received Money of the pay Master Gen'l on Wednesday & thursday last, are required to examine their Cash, as he Made a Mistake with some of them to his prejudice, the Colo. & commanding Officers of corps are Desired to see that their respective paymaster have Immediate Notice of this Matter.

S	C	P	
1.	1.	4.	for guard.
	1.	1.	Fatigue.
1.	1.	5.	Gen'l Mughlenbergs & Commissarys.

(TO BE CONTINUED.)

A TABLE

SHEWING THE SEVERAL ASSEMBLIES THAT HAVE BEEN CALLED FROM THE FIRST DAY OF JANUARY 1661, TILL THE FIRST DAY OF JANUARY 1758, WITH THEIR SEVERAL SESSIONS, AND THE NUMBER OF LAWS PASSED IN EACH; AND BY WHAT GOVERNORS AND SPEAKERS.

Day.	Mon	Year of Lord	Year of the King	Assemb.	Ses.	No. of Acts	Governor	Speaker
13	March	1661	13 Car. 2.	I	1	138	Fr. Moryson esq;*	Rob. Wynne esq.
2	Dec.	1662	14.....	.....	2	23	Sir Wm. Berkeley	
10	Sept.	1663	15.....	....	3	18		
20	Sept.	1664	16.... ...	.....	4	9		
10	Octob.	1665	17.....	... .	5	10		
5	June	1666	18.....	II	1	4		
23	Octob.	.....	... .	.....	2	24		
23	Sept.	1667	19.....	III	1	7		
17	Sept.	1668	20.....	.....	2	9		
20	Octob.	1669	21.....	.....	3	9		
3	Octob.	1670	22.....	.....	4	12		
20	Sept.	1671	23.....	.....	5	7		
24	Sept.	1672	24	....	6	10		
20	Octob.	1673	25.....	....	7	7		
21	Sept.	1674	26	.....	8	10		
7	March	1675	28.....	.. ..	9	4	....	Aug. Warner esq:
5	June	1676	.....	IV	1	20	.....	Th. Godwin esq:
20	Feb.	....	29.....	V	1	20	....	Aug. Warner esq:
10	Octob.	1677	.....	VI	1	12	Her. Jeffreys esq:	Wm. Travers esq:
25	April	1679	31	VII	1	11	Sir Hen. Chichely	Matt. Kemp esq:
8	June	1680	32	VIII	1	17	Lord Culpepper	Tho. Ballard esq:
10	Nov.	1682	34	IX	1	13	.....	

*Francis Moryson esq; was deputy-governor in the absence of Sir William Berkley.

16	April	1684	36	X	1	9	Lord Effingham	Edward Hill esq:
20	Octob.	1686	1 Jac. 2.	.....	2	11	.....	Arthur Allen esq:
16	April	1691	3 W. M.	XI	1	21	Fr. Nicholson Esq;	Tho. Milner esq:
1	April	1692	4.....	.....	2	7	.....	
2	March	....	5.....	XII	1	7	Sir Edm Andros	
10	Octob.	1693	.....	XIII	1	5		
18	April	1695	7.....	XIV	1	6	.....	Ph Ludwell esq:
24	April	1696	8.....	XV	1	14	.....	Rob. Carter esq:
21	October	1697	9.....	.....	2	1		
28	Sept.	1698	10 Wil. 3	XVI	1	.....	.....	W.R. Randolph esq:
27	April	1699	11.....	XVII	1	16	Fr. Nicho'son esq;	Rob. Carter esq:
5	Dec.	1700	12.....	XVIII	1	4	.....	Pet. Beverley esq:
6	Aug.	1701	13.....	.....	2	6		
30	May	1702	14.....	.....	3	3		
14	Aug.	1702	1 Ann	XIX	1	4		
19	March	.....	2.....	XX	1	.....		
20	April	1704	3	.....	2	13		
18	April	1705	4.....	.....	3	5		
25	Octob.	.....	.....	XXI	1	55	Edw. Nott, esq:	Ben. Harrison esq:
25	Octob.	1710	9.....	XXII	1	17	Al. Spotswood esq.	Pet. Beverley esq:
7	Nov.	1711	10.....	.....	2	5		
22	Octob.	1712	11.....	XXIII	1	7		
5	Nov.	1713	12.....	.....	2	12		
16	Nov.	1714	1 Geo. 1	XXIV	1	5		
3	Aug.	1715	2	XXV	1	3	.....	Dan. McCarty esq;
23	April	1718	4.....	XXVI	1	4		
11	Nov.	.....	.....	.....	2	2		
2	Nov.	1720	7.....	XXVII	1	18	.....	Jo. Holloway esq:
9	May	1722	8.....	.....	2	16		
9	May	1723	9.....	XXVIII	1	15	Hu. Drydale esq;	
12	May	1726	12.....	.....	2	14		
1	Feb.	1727	1 Geo 2	XXIX	1	22	Wm. Gooch esq.	
21	May	1730	3 & 4	.....	2	29		
18	May	1732	5 & 6	.....	3	35		

A TABLE—CONTINUED

Day.	Mon	Year of Lord	Year of the King	Assemb.	Ses.	No. of Acts	Governor	Speaker
22	Aug.	1734	8	.....	4	31	.....	Sir John Randolph
5	Aug.	1736	10.....	XXX	1	25		
1	Nov.	1738	12.....	.....	2	25	.....	Jo. Robinson esq:
22	May	1740	13.....	.....	3	15		
6	May	1742	15.....	XXXI	1	33		
4	Sept.	1744	18	.....	2	46		
20	Feb.	1745	19.....	.....	3	20		
11	July	1746	20.....	.....	4	2		
30	March	1747	.....	.....	5	5		
27	Octob.	1748	22.....	XXXII	1	89		
27	Feb.	1752	25	XXXIII	1	53	R. Dinwiddie esq;	
1	Nov.	1753	27.....	.....	2	28		
14	Feb.	1754	.....	.....	3	3		
22	Aug.	.....	28.....	....	4	3		
17	Octob.	.....	.....	.....	5	7		
1	May	1755	.....	.....	6	24		
5	Aug.	.....	29.....	.....	7	8		
27	Octob.	.....	.....	.....	8	6		
26	March	1756	.....	XXXIV	1	13		
	March	1757	30.....	.....	2	30		

[We are indebted to Col. Wm. Winston Fontaine, of Austin, Texas, for the copy of this table, taken from a printed collection of Virginia laws. It should be noted here, as it does not appear in this table, that an Assembly was convened on October 1, 1685, and on the same day was prorogued to the 2d of November following. It met on the day appointed and sat some time; but none of the bills offered met with the governor's approval. William Kendall was speaker. The volume, now in Col. Fontaine's possession, from which the above list was copied, has lost the title page, but is otherwise complete. It contains xxii, 482 pages. The first page begins [1] | A | Table | Of all the | Public Acts of Assembly | In Force and Use | January 1, 1758.]

THE FAMILY OF NATHANIEL BACON, THE "REBEL."

AS SHOWN BY THE PAPERS IN THE CASE OF JARVIS *vs.* JASON.

[It has been frequently claimed that Nathaniel Bacon, "the Rebel," left descendants in this country, and that the family of Bacon later well known could be traced to him. In the absence of any positive proof the adherants of this theory have pointed to the brief summary given in *Vernon's Reports*, I, 284, of the case here referred to. The summary refers to "children," which gave some color to the claim. Last summer Captain W. Gordon McCabe, former President of this Society, was in England and investigated at the Public Record Office the original papers in this suit. At his suggestion the Society had copies made.]

Chancery Proceedings before 1714.

Reynardson 87—100.

21 May 1681. Emendat p Ord Cur dat 24 die January 1684.

Bridge.

To the Right Hono'ble Francis Lord Guilford Lord Keeper of the Greate Seale of England:

Humbly complayning sheweth unto your Lop'p your Orator Sr. Robert Jason of Enfeild in the County of Midd'x. Barr't That yo'r Orator in or aboute the Month of May which was in the yeare of our Lord God one thousand six hundred Eighty and one did Exhibit his bill of Compl't unto this High and Hono'ble Court against Thomas Jarvis and Elizabeth his wife, William Betts, Thomas Bacon and Mary Brooke thereby setting forth as the truth was and is That Sr. Robert Jason Barr't your Orators late Father dece'd being in his life time seized of a considerable reall Estate and your Orator being his eldest sonne and Heir one Nathaniell Bacon Gent. and Will'm Bokenham Esqr. taking advantage of your Orators necessetyes who had little or noe allowance from his said Father wherewith to support himselfe did p'tend to yo'r Orator, that hee the said Nathaniell Bacon, was seized of a good and cleare Estate in fee of and in all that Messuage and Farme called or knowne by the name of Hinton Hall Farme Northfeilds and Bullocks Closes with the Appurtences scituate lying and being in Hinton Blythburgh and Thorrington or some or one of them or in any other Town or Townes thereunto near adjoyning in the County of Suffolke And that if your Orator would purchase the same of the said Bacon hee would be contented to take security for the purchase Money to bee paid by your Orator after the death of his said Father who had

noe other sonnes but your Orat'r and Henry Jason his Brother and the said Bacon and Bokenham affirmed that the said Lands were of the yearly value of one hundred and fifty pounds p'annu. and A good Tytle and Free and cleare of and from all Manner of Incumbrances and the more to encourage your Orator to purchase the said p'misses the said Bokenham p'tended that if your Orator would deal for the same that he would either give your Orator ready money for the said purchase or procure your Orator a purchaser who should give him ready money for the same and thereupon and by the contrivance of the said Bacon and Bokenham you'r Orat'r was drawne in to give one or more Judgm'ts or other security for Eight Thousand pounds or some such sume which was to bee Defeazanced for payment of fower Thousand pounds or some such sume att the death of your Orators Father and in consideration thereof the said Bacon agreed to Convey the said Lands and P'misses to your Orator and his heires and the said * * * Bokenham advised yo'r Orator that it would not be safe for him to take the Conveyance in his owne name and thereupon by the contrivance of the said Bockenham and Bacon A Conveyance was p'pared and brought ready Ingrossed wherein the name of one Peter Phesant esqr. was used as purchasor who was an utter Strainger to your Orator but a Relacon or Freind to the said Bokenham and Bacon or one of them which Conveyance was executed by the said Bacon and as soone as the same was executed the said Bokenham tooke the same into his Custody uppon p'tence that he would keepe itt for the use and benefitt of yo'r Orator and the said Bokenham haveing gotten the Conveyance into his custody and there being noe trust menc'oned in itt for your Orator hee did propound to buy the prèmisses of yo'r Orator and that if yo'r Orator would execute A Conveyance thereof to him he would give yo'r Orator in ready money to the full value of the Estate and yo'r Orator being then in Straights for money upon the said Bokenhams paying to him about fifty pounds in ready money and p'miseing to pay your Orator to the full value of what the said Lands and P'misses were worth was drawne in to seale A Conveyance thereof to the said Bokenham and to undertake to p'cure the said Peter Phesant your Orators Trustee to joine in the said Conveyance And the said Phesant being a Strainger to your Orator and a freind or Relacon of the said Bokenham and Bacons your Orator could not procure him to convey Howbeitt your Orator having sealed the said Conveyance was glad to take such security for the purchase money from the said Bokenham as he could gett and your Orator further Shewes That the said Peter Phesant was kept off by Bokenham and Bacon or one of them from sealeing the said Conveyance and yett his nott sealing thereof was made use of as a pretence to delay the said Bokenhams payment of the purchase money to your Orator And your Orator further shewed That by the contrivance of the said Bacon an (sic) Bokenham there were severall Incumbrances sett on foote on the

premises and it was also pretended that the wife of the said Nathaniell Bacon having not joyned in the sale of the premises to your Orator in case she survived her husband, she would be entitled to Dower or some other Incumbrance on the premises and by these and other the practises and contrivances of the said Bacon and Bokenham your Orator haveing been drawne into the said judgement or security as aforesaid and having been very much abused wronged and defrauded by them as aforesaid your Orator was advised and did resolve to seeke his remedy and redress in the premisses by the Ayd of this honourable Court And thereupon and to prevent your Orators sueing them the said Bacon who was sensible of the wrong your Orator had sustained did agree to discharge the said Judgem't or security which your Orator had entered into as aforesaid And to accept a Reconveyance of the said Lands and premisses if your Orator would undertake to procure the same or else to pay the summe of one thousand two hundred and fifty pounds being looked upon to be the value of the premises with sixty pounds p Ann. in liew of the Rents of the said Lands in the meane time which your Orator accordingly did undertake to doe But the said Bacon goeing beyond sea and dyeing before the said Agreement was executed And one Thomas Jarvis, Merchant having married with Elizabeth —— the relict of the said Nathaniell Bacon and being intitled to the benifitt of the said Agreement and your Orator not having then taken in the said Bokenhams interest nor procured a Reconveyance from the said Phesant the said Thomas Jarvis did insist to have a security from your Orator to performe the said Agreement for that the said Judgement or security soe given by your Orator to the said Nathaniell Bacon as aforesaid was discharged [*and your Orator released thereof.] And thereupon your Orator by the persuasion of the said William Betts, [†Gentleman] an Attorny att Law who pretended by Vertue of your Orators Title to p'cure him the po'ssion of the p'misses from the said Will'm Bokenham whoe then had the same thereby to enable your Orator to performe the agreem't herein after menconed And before any title of the said Bacons wife was sett on foote in or aboute Michas Tearme one Thousand six hundred seventy and six gave the said Thomas Jarvis A Judgm't of Twoe Thousand pounds debt besides costs of Suite in the Courte of Common Pleas att Westminster as by the Records thereof may appeare which said Judgm't by Indenture beareing date the eight and twentyeth day of Decemb'r One Thousand six hundred seaventy and six made betweene the said Thomas Jarvis of the one parte and the said S'r Robert Jason of the other parte was condiconed or Defeazanced and the true intent and meaneing of the said Judgm't was thereby declared

* These words appear in the original bill filed 21 May 1681, but not in this the amended bill.

† Note as above.

to bee to secure the said Thomas Jarvis and his Heires That yo'r Ora t' the said S'r Robert Jason his Heires Execut'rs or Adm'rs or some or one of them should on or before the twenty nineth Day of September which should bee in the yeare of our Lord One Thousand six hundred seaventy and eight deliver unto the said Thomas Jarvis and his Heires or Assignes lawfull quiett and peaceable possession of all that the said Messuage and Farme called or knowne of the name of Hinton Hall Farme North-feilds and Bullocks Closes with the Appurtences scituate lying and being in Hinton Blythburgh and Thorrington or some or one of them or in any other Town or Townes thereunto neare adjoyning in the County o Suff'k and should alsoe convey the said Farmes and p'misses unto the said Thomas Jarvis his Heires and Assignes as the Councell of the said Thomas Jarvis should advise with the Covenants ag't all and every person and Persons whatsoever lawfully clayming or to clayme the said Messuage Farme and Premisses or any parte thereof by from or under the said Sir Robert Jason Henry Jason, brother to the said S'r Robert the said William Bokenham esq'r whoe then had the said Farm and pr'misses in posscon and the said Peter Pheasant esq'r and in the interim should pay unto the said Thomas Jarvis his heires or assignes, the yearly rent or sume of sixty pounds of lawfull money of England att the two most usuall feasts or Dayes of paym't in the year, that is to say the Feast of the Annuncacon of the blessed Virgin Mary and St. Michall the Archangell by even and equal p'cons, the first payment thereof to bee made upon the Feast of the Annuncacon of the blessed Virgin Mary next ensueing the date thereof And should also make satisfaccon unto the said Thomas Jarvis and his Heires for such damages as should bee upon or come to the said messuage houses Farme and pr'misses or any parte or parcell thereof from the Feast of St. Michaell the Archangell last past untell the said nine and twentyeth Day of September which should be in the yeare of our Lord one Thousand six hundred seaventy and eight and in default of delivering lawfull peaceable and quiett pos'sion of the said Estate as aforesaid and conveying the said Estate to the said Thomas Jarvis his Heires and Assignes as aforesaid then if yo'r Orator the said S'r Robert Jason his Heires Execut'rs Adm'rs or Assignes or some or one of them should within Three Months next after the said nine and twentyeth day of September which should be in the yeare of our Lord one thousand six hundred seaventy and Eight pay unto the said Thomas Jarvis his Heires or Assignes the sume of one Thousand twoe hundred and fifty pounds of lawful money of England then the said judgem't to be voyd and of none effect or else to remaine in full force and vertue And the said Thomas Jarvis for himselfe his heires Execut'rs and Adm'rs and every of them did Covenant and agree to and with yo'r Orator the said S'r Robert Jason his Heires Execut'rs and Administrators and every of them by the said Indenture that if the said S'r Robert Jason his Heires Executors or Administrators

or any of them should well and truly deliver unto the said Thomas Jarvis his heires and Assignes a lawfull peaceable and quiet pos'sion of the said Messuage Lands and Pr'misses with the Appurtences and every parte thereof and convey the same with Covenants as aforesaid, and also pay to the said Thomas Jarvis his heires or assignes the said yearly rent or sume of sixty pounds by equall porcons as aforesaid att the severall and respective times aforesaid And in default thereof of the said S'r Robert Jason his heires Executors Adm'rs or Assignes or any of them should well and truly pay unto the said Thomas Jarvis his Execut'rs or Assignes the sume of one Thousand twoe hundred and fifty pounds of lawfull money of England then the said Thomas Jarvis his Executors Adm'rs or Assignes or one of them should and would acknowledge satisfaccon uppon the Record of the said Judgm't att the costs and charges of the said S'r Robert Jason and cause the same to be vacated and in the meanetime (if the said yearly rent or sume of sixty pounds should be paid as aforesaid) should not or would sue forth any Execucon uppon the said Judgm't ag't the said S'r Robert Jason his Goods and Chattles Lands or Tenem'ts as by the said Indenture duly executed under the hand and seale of the said Thomas Jarvis ready to be p'duced to this Honoble Courte may appeare which Judgm't was entered And the said Indenture thereupon was drawne by the said W'm Betts whoe p'tended to bee your Orator's great freind in the pr'misses And your Orator further shewed that in pursuance of the agreem't conteyned in the said Indenture of Defeazance your Orator did take in the interest of the said Bokenham and procured a Conveyance from him the said Peter Pheasant and did pay or cause to be paid or was ready and did tender or offer to pay unto the said Thomas Jarvis or his use the said yearly rent or sume of sixty pounds and also to deliver quiett lawfull and peaceable pos'sion of the said Messuage Farme Lands and pr'misses notwithstanding any Act or thing done or suffered by your Orator and the said Henry Jason Will'm Bokenham and Peter Pheasant or any of them and to make and procure to bee made A Conveyance of the same to the said Thomas Jarvis his Heires and Assignes with Covenants ag't all persons lawfully clayming by from or under yo'r Orator and the said Henry Jason Will'm Bokenham and Peter Pheasant And the said Thomas Jarvis ought accordingly to have accepted thereof and att your Orators charge to have acknowledged satisfaccon or Record of the said Judgm't but your Orator then complayned that the said Thomas Jarvis by Combinacon and Confederacy with ye said Elizabeth his wife William Betts and to and with Thomas Bacon, gent and Mary Brooke's and takeing advantage that yo'r Orator did not pay the said rent of sixty pounds p Annu deliver the pos'sion and make and execute or procure to be made or executed A Conveyance of the said Messuage Farme Lands and P'misses att the p'cise times limitted by the said Indenture of Defeazance for that purpose doth refuse now to accept

thereof and doth insist upon the penalty of the said Judgm't or at least to have the said sixty pounds per annu and the one thousand twoe hundred and fifty pounds paid to him with damages from the respective hires the same should have been paid to him according to the said Defeazance, Whereas the not performing the condicon of the said Defeazance was occaconed by the said Thomas Jarvis himselfe or his wife and he ought not to take any advantage thereof And if it were by any default of your Orators yet your Orator was ready to pay the said rent and to make good to the said Thomas Jarvis whatever he is dampnifyed by the not performeing of the said —— Defeazance or agreem't on your Orator's parte the said Thomas Jarvis ought not in iustice and equity to take any advantage of the said non performance but ought to accept of the said rent and a Conveyance of the P'misses with his reasonable damages which your Orator hath tendered or offered to pay him if he will accept thereof which he refuseth to do but hath proceeded or threatens to proceed at law against your Orator or his Estate uppon the said Judgm't sometimes pretending that having married with the widow of the said Nathaniell Bacon shee hath a joynture of the premisses made to her by the said Nathaniel Bacon before his Conveyance to the said Peter Pheasant and sometimes that shee is intituled to Dower and att other times that the P'misses are subject to severall Judgm'ts statute Mortgages Estates charges and incumbrances p'cedent to your Orators purchase of the p'misses of the said Bacon as aforesaid and by vertue or force of those or some other Titles Estate or Incumbrances the said Thomas Jarvis and Elizabeth his wife by Combinacon with the said William Betts whoe is to have a great share of or greatuity out of the said one thousand twoe hundred and fifty pounds if the same be recovered and to and with the said Thomas Bacon and Mary Brookes and with divers other Persons unknowne to your Orator whose names when discovered your Orator prayes liberty to incert them herein as Defend't with apt words to charge them have gotten and kept the pos'sion of the P'misses and p'vented your Orator from takeing and delivering A quiett and peaceable possession according to the said agreem't and the said Confederates by —— Combinacon doe threaten that they will continue to keepe his pos'sion and disable your Orator from getting and delivering the same according to the said agreement on purpose to subiect yo'r Orator to the paym't of the said one thousand twoe hundred and fifty pounds but what the said Estates Judgm's Joynture Tytles or Incumbrances are and by and to whome made and to whose use & when dated and when sealed executed or entered into and for what consideracon really and bona fide paid and by and to whom the said Confed'ates refuse to discover whereas if any such Estates Jointure or Incumbrances there are the same are fraudulent or voluntary and obteyned by undue and indirect meanes and if any such Joynture Deede was made by the said Nathaniell Bacon the same

was voluntary and made after Marriage and the same and other Estates and Incumbrances if any such were made for little or noe consideracon and were not really and bona fide executed before your Orators title but are antedated and if any money was or were ever lent or paid thereon the same is since paid or satisfyed and the same were originally or else are since become in trust for the said Nathaniell Bacon or the said Thomas Jarvis or else the same were made suffered or entered into by the said Nathaniell Bacon or whereof he knew or had notice att the time of his selling and conveying the P'misses to your Orator as aforesaid and which he concealed from your Orator or else the said Thomas Jarvis hath bought or agreed to buy in the same or severall of them for little or nothing with designe to sett them on foote or hathe agreed or procured severall of them to bee sett on foote and made use of with designe to keepe the pos'sion of the P'misses from your Orator and to render him unable to performe the said agreement to the intent to oblige your Orator to pay the said One Thousand two hundred and fifty pounds and soe to defraud them thereof And to that purpose the said Thomas Jarvis and Will'm Betts hath outlawed your Orator on the said Judgm't and intend to plead the said Outlawry or some other Outlawry which they have recovered against your Orator in barr of the suite Whereas in Justice no use ought to be made of the said Joynture or other Incumbrances nor ought the said Thomas Jarvis or the other Confederates to take any advantage thereof or of your Orators not haveing delivered the said pos'sion according to the strict words of the said agreem't. And the rather for that if any Incumbrances there be the same were made and created by the said Nathaniell Bacon or those under whom hee claymed and not by your Orator and the said Henry Jason and Peter Phesant or any of them they or any of them haveing done noe Act to Incumber the same All which matters and things were well knowne to the said Confederates but they did refuse to discover the same And the said . . . . of the said Confederates were contrary to equity And herefore and in regard your Orator could not bee releived in the P'misses att the Comon Law and was only releivable in this Honoble * * (sic) And the rather for that your Orator witnesses whoe could prove the truth of all and singular the p'misses were either dead or gone into places beyond the seas remote and to your Orator unknowne your Orator humbly prayed the ayde of this Ho'ble Court and to the ende the said Thomas Jarvis and Elizabeth his wife and Will'm Betts Thomas Bacon and Mary Brookes respectively might accordingly true and perfect Answeare make to all and singular the p'misses upon there Corporall Oathes and your Orator bee . . . . therein according to Equtty hee humbly prayed the ayde and assistance of this Honoble Courte and that p'ces of Sp might be awarded ag't the said Thomas Jarvis and Elizabeth his Wife Thomas Bacon William Betts and Mary Brookes to appeare in

this Honoble Courte And Answeare the P'misses which being granted and the said then Def'te (except the said Mary Brookes) therewithall served they appeared and put in theire Answeares and all Ord'rs afterwards made in the said Cause but before the same was heard the said Thomas Jarvis the principall Defend't and whoe claymed the matter in controversy departed this naturall life haveing first made his last Will and Testam't in writeing and thereof made the said Elizabeth Jarvis his wife George Richards of London Merchant and Edmond Foster of London Gent his Executors by meanes of whose death the said suite as ag't the said Thomas Jarvis abated and that since the death of the said Thomas Jarvis they the said Elizabeth Jarvis George Richards and Edmund Foster have proved his last will and Testament whoe ought performe such Ord's and Decree touching the said P'misses as the said Thomas Jarvis should have done in case he . . . And your Orator further showeth that since the —— exhibiteing of this your Orators bill of Reviver hee hath discovered that the said Nathaniell Bacon att his death left Issue only twoe Daughters (to witt) Elizabeth and Mary and that the said Elizabeth one of the said Daughters is dead without Issue and itt is p'tended that the said Nathaniell Bacon by that p'tended deed of Joynture herein before menconed or by some other Deede the p'misses or A greate parte thereof after ye death of the said Elizabeth his Relict are to come to the said Mary Bacon as Daughter and Heire of the said Nathaniell Bacon & y't ye s'd Nath. Bacon gave bond to settle the said p'misses on the said Elizabeth or to some such effect Whereas yo'r Orat'r chargeth as the truth is y't if any such Deede or settlem't bee made or any such limitacon therein as is p'tended the said Deede or Settlem't not only as to the said Elizabeth but also to the said Mary Bacon the Daughter is voluntary and fraudulent and was made and executed as alsoe the said p'tended bond after the marriage of the said Nath: Bacon with the said Eliz: and without any consideracon really and bona fide paid & was antedated and ought not to be sett on foote ag't yo'r Orator whoe was a purchaser of the p'misses and if such bond there bee the same was only for setling a Joynture on the said Elizabeth and there was not any p'vision or settlem't thereby to bee made for her Issue nor was there any agreem't made by the said Nathaniell Bacon before his marriage with the said Eliz: in refference to any settlem't the marriage being private & against the expresse Will and comand of the Father of the said Eliz: whoe when he knew thereof was much troubled thereatt and soon after dyed But when such deed was dated & when executed & for what consideracon & when & to whome paid & whether the same were after the marriage between the said Nathaniell Bacon and Eliz: the said Confed'rates by the Combinacon aforesaid refuse to discover contrary to Equity To the ende thereof that the said suite and all the p'ceedings therein had may stand Revived & bee in the same State plight and Condicon as they were in att the

time of the death of the said Thomas Jarvis And that the said Mary Bacon may Answeare all and singular the p'misses and sett forth the p'tended bond and settlem't verbatim with the Witnesses names thereto and make a perticular discovery of all and singular the p'misses as if the same weere here Interrogated and that your Orator may bee releived in the p'misses according to Equitty May itt please your Lopp to grant unto your Orator his Ma'ties most gracious Writt of Spa of Revivor to bee directed to the said Elizabeth Jarvis Edmond Foster and George Richards thereby commanding them and every of them att A certaine Day and under a certaine paine therein to bee limitted personally to bee and appeare before your Lopp in this High and Honoble Courte of Chancery then and there to shew Cause if they can why the said Bill Answeare and other proceedings in the said Cause should not stand Revived and bee in the same state plight and Condicon as they were att the time of the death of the said Thomas Jarvis and also his Ma'ties gratious Writt of Spa ad Respondendum to be directed to the said Mary Bacon commanding her to appeare in this Court And Answeare the p'misses and further that all the Debts may stand to and abide such further Ord'r and direccon therein for your Orators iust releife as to your Lopp shall seeme meete And your Orator shall pray &c.

GEORGE HUTCHINS.

(TO BE CONTINUED.)

VIRGINIA GLEANINGS IN ENGLAND.

Communicated by Mr. LOTHROP WITHINGTON, 30 Little Russell street, W. C., London (including "Gleanings" by Mr. H. F. WATERS, not before printed.)

(CONTINUED)

FRANCIS HANNSWORTH. Will 11 April 1656; proved 28 February 1656–7. To John Hamond one hogshead of Tobacco. To Thomas Wilkinson of Rosewell in Virginia one Case of Waters. To Elizabeth Ramsey, daughter vnto Thomas Ramsey of Virginia 15s. for a ring. To Francis Wheeler and his wife 20s. for gloves. To Master John White and his wife 20s. The rest of my estate vnto three of my neerest of Kindred in

Fatel Thrope in County Lincoln or thereabouts; if they do not come or appear, then I give the rest of my estate to John Creed of Virginia, Planter. To Michaell Tillard a bedd and rugg and all other things I have in a bag in the Shipp Phillipp. Witnesses: Michael Tyllyard, Edw. Symons. Debts Master Hannsworth oweth. To Robert Williams of Virginia £2 12s. To an old Man for a Coate to be paid for it be not gott againe and my passage. Nuncupative Codicil, same date, of Francis Hannsworth late of St. Sepulchres, London, deceased. He having made no executor, desired Master John White to take up the 14 hogsheads of Tobacco in the ship Phillip and with the proceeds pay his legacies. Witnesses: Edward Symons, Mary Tilliard.

Ruthen, 59.

[The Rosewell, where Thos. Wilkinson lived, was no doubt the place afterwards well known as a seat of the Page family. Thomas Wilkinson had several grants of land (1) 500 acres on the South side of Potomac at the mouth of Matchotack river, August 18, 1650. Among the headrights were "4 Indians Trans.[ported] by Mr. Gerraid;" (2) 320 acres on both sides of a creek flowing into Rappahannock river, about 2½ miles above the land of Richard Coleman, 1653; (3) 6,000 acres above the head of Potomac Creek, adjoining the land of Mr. Merewether, now in the tenure of Nicholas Russell, January 10, 1658, renewed to said Wilkinson March 18, 1662.

Thomas Ramsey (sometimes spelt Ramshawe in the old records), was a member of the House of Burgesses for Warwick river at the session of February, 1631-2; for Gloucester, March, 1654-5, March, 1655-6, December, 1656, and March, 1657-8. Captain Edward Ramsey, possibly his son, was Burgess for James City, 1663 and 1666, and possibly other years of that long Assembly. On March 18, 1662, Thomas Ramsey had a patent for 1,000 acres in Gloucester county, on the Northeast side of Mattapony river, adjoining the lands of Ralph Green, Thos. Bell and Captain Abrell, patented by Col. John West, May 27, 1654, and assigned to Ramsey by "Captain West, son of Colonel West, Esqr."]

HUMPHREY HAWKER, liveinge in the parishe of Bowe in Cheapside in the Warde of Cordwayner. Will undated; proved 16 November 1647. To my daughter Dorothie in Virginia if shee be liveinge five poundes. To her daughter that was borne in England £20. To the next to eldest £5. To my maid nowe liveinge with me called Abigall £5. For my funerall £3.

Executors: Mr. John Oresbie and Mr. Henrie Hodges. To Elizabeth Muse 40s. Witnesses: Richard Harris, Henrie Hodges, Roberte Woodford.

Fines, 234.

GEORGE MENEFIE of Buckland in Virginia, Esquire. Will 31 December 1645; proved 25 February 1646–7. To be buried at discretion of my wife in parish Church of Weston [Westover]. All debts in Virginia to be satisfied. All Tobacco or money debts in England to be transferred to my books, "The shipp Desire now lyeinge before Buckland may with all possible expedition be dispatched way for England, and to bee part loaded with what Tobacco is ready here above, and receive the remainder of her ladeinge belowe, vizt, tooe hundred Hoggsheads on the partable account" 100 hoggshead my own account and the rest by discretion of a note to be found in a small book of tobacco shipped and to be shipped. My 100 hogsheads and also my part in the ship Desire and cargo, and my 1-16 part of the William and George be consigned to Captain Peter Andrews, he to give an exact account to my heirs and executors. To my daughter Elizabeth Menefie all my land at Weston, att James Citty, and at Yorke River. To my brother John Bishopp, the money he owes me, and one-third part of my crop of Tobacco made the last summer at my plantation of Buckland. My sheep at Buckland to be a joint stock between my daughter Elizabeth, and my son-in-law Henry Perry. To Mr. Jo. James £20 and 1000 lbs of Tobacco, he to preach a sermon at my funeral. To Mr. Jo. Converse, Chirurgeon, 2000 lbs of Tobacco. To my brother Roger Booker £50, he to assist Humphrey Lister in collecting my debts. To Jo. White, Merchant, £50, provided he continue one year longer in Virginia and collect my debts as formerly. Tobacco not able to go in the Desire to be sent in the Flower of London Goods consigned in the William and George to be returned in Kind. Everything to my wife and daughter. Executrix and guardian to my daughter; my wife Mary. Tobacco due to me from Captaine Tho. Varvell shall be satisfied by Mr. Walter Aston. Satisfaction to be made to Mr. Humfrey Adlington for his care in my business concerning Chamberlaine, by Captaine Peter Andrews. Overseers: friends

Captain Peter Andrews, Richard Bennett, Esq. Witnesses: Howell Prise, Humfrey Lister.

Fines, 31.

[George Menifie came to Virginia in 1625, was Burgess for James City County, 1629, and member of the Council, 1635-1646. He was one of the wealthiest men of his day in the Colony, and was probably the leading merchant. In 1634 he lived at "Littleton," or "Littletown," not far below Jamestown. His large garden here "contained fruits of Holland and Roses of Provence." His orchard was planted with apple, pear and cherry trees, and he cultivated here the first peach trees introduced into America. Around the house grew, in the fashion of the times, rosemary, thyme, and marjoram. He took a prominent part in the deposition of Governor Harvey. Later he removed to "Buckland," an estate of 8,000 acres in Charles City County. His only child, Elizabeth, married Captain Henry Perry of Charles City County, member of the Council. They left two daughters and co-heiresses: Elizabeth, who married John Coggs, gent., of Rainslip, Middlesex, Esq., and Mary, who married Thomas Mercer, stationer, of London.

The site of old Westover Church, near the house at "Westover," still contains a number of tombs formerly in or near the old building. The name John James supplies information as to one of the early ministers of the parish. John Bishop was an early resident of Charles City County, as was Walter Aston. Howell Price was once clerk of the county.]

ARTHUR BULKELY of the City of London, merchant, bound for the Plantation of Virginia in the parts of America beyond the seas, and shipt in the good ship the "Blessing" of London, whereof is Master, Mr. William Simmory. Will 4 August 1638; proved 3 November 1645. All my estate whatsoever to my brother Thomas Bulkely of City of London, Merchant, executor of this will. Witnesses: Hen. Kighte, Ser. to John sen'r Warner, Scrivener, Samuel Leadbetter. [Arthur Bulkely, Citizen of London, Merchant, deceased in London.—Probate Act Book.]

Rivers, 145.

ELIZABETH VINCENT of St. Andrews Holborn, in the Suburbs of London, Widow. Will 28 August, 1660; proved 14 November 1660. "Whereas my late husband William Vincent did give to vnto mee or otherwise appointe for mee the Sume of One hundred Poundes Sterlinge out of such goodes and Estate as hee had in Virginia which is yett remaining in the handes of

Thomas Edmunds, Planter there, or of William Daynes who I Authorized to Receive the same for mee" I give the said sum and all other goods and all profits from the estate of my said late husband or otherwise to my good friend Mr. Benjamin Wyche, appothecary, dwelling in Holborne, London. He to give £10 to my kinswoman Elizabeth Anderton, £10 to my Kinswoman Love Meredith liveinge in Virginia, and 40s. to her brother Henry Meredith, as legacies from mee. Residuary Legatee and Executor: said Benjamin Wyche. Witnesses: Francis Orton, Elizabeth Orton, Jo. Houghton, Nory Publique.

Nabbs, 301.

[William Vincent patented 640 acres in Northumberland County, on the North side of Dividing Creek and on the Bay, adjoining the land of James Willis and John Waddy, April 3, 1651.]

WILLIAM WOOTTON. Will 13 October 1653; proved 12 May 1656. "Virginie this 14th of March 1653-4. Most deare and loveinge sister my kind love to you and my cosen Fatwell, hopeinge of your welfare and desireing it as my own. These are to certifie you that wee came well to our porte, God bee praised, not without trouble and a great deal of danger, Sister I have sent to Mr. Gough Thirty hoagsheads of Tobacco to dispose of them for mee, which I hope will be to your advantage, but if hee bee not payd in that monie which hee ought mee, hee shall not dispose of this tobacco, but if hee has payd in the money then lett it remaine for him to dispose deare Sister. I desire that if God shall deale otherwise with mee then the continuance of life. For the produce of the Tobacco which I have now sent home I desire that my Aunt Wintower may have five pounds layd out in ringe for her and Thirty pound I give to your selfe" £30 to my Sister Barber, £10 to my Sister Gaward, £10 to her husband, £10 to my Brother Arthur, the rest between my sister Phillipp and sister Sharpham; if they get more than £10 each, give £10 to Mr. Pale and £5 for the poor to whom Mr. Pale shall think fit "Here is an enclosure for Captain Grig if Mr. Gough be dead. Respects to Mr. and Mrs. Paule, tell their maid I cannot hear of her brother from want of his Masters name, but I will make sale of the token and give her the proceeds, your loving Brother William Wotton.

Direct your letter to Mr. ffriers house Liveinge in Chichen homine river neare James Cittie in Virginia. Will of William Wootton written with my own hand 13 October 1653, bound for Virginie." A bond in hands of Mrs. Phillipp Winter of £80 due from Giles Gough. To my sister Mary Meredith £30 of same. To my sister Susanna Barber £50 of said bond. If I return from Virginia this will to be void. Witnesses: John Steevans, Richard Jenings.

Berkeley, 163.

[The name of William Wootton does not appear in the land grants; but Richard Wootton, patented, in partnership with John Lewis, 100 acres in Deep Creek, Warwick county, part of 1,000 acres patented by James Merryman, and assigned by Mr. Merryman, April 30, 1647; and by himself, 300 acres in Northumberland at the head of Upper River, April 1, 1651. Thomas Wotton, gentleman, was one of the first settlers in Virginia in 1607.]

PHILIP NOYE of Burian, now of St. Just, in Cornwall. Will 4 March 1649–50; proved 8 June 1650. To the poor of parish of Fellacke where I was born 20s. To the poor of Burian 20s. To the poor of St. Just where I now live 20s. "Whereas my brother Joseph Noye did adventure with mee when I went for Virginia the sum of Fifty Foure pounds whereof hee hath as yett had noe returne" my will is that the said sum be paid unto him out of my manor of Trena and 2s. more as a legacy. To my brother in law John Ellis of Madren 20s. To my brother in law John Wallis 20s. To my sister Barbara Gayre, widow £10. To my sister Anne the wife of John Ellys £10. To my sister Sarah Wallish wife of John Wallish £10. To Phillipp Gayre daughter of my sister Barbara Gayre £100, if she die during minority or before marriage, to remain to her sister Sarah. To the other two children of my sister Barbara Gaire £10 each. To Anne Ellis daughter of John Ellis £50. To Anne and Phillipp Wallis daughters of my brother in law John Wallish £50 each. To Mr. John Leay 40s. To Martine Harvey, son of Martine Harvey, 50s. My one half of the manor of Treva, house in Sellan bean in Sancrett parish in tenure of John Chirgwine, and a house in Burian Church Town in tenure of one John Marten, and one annuity of 16s. 8d. out of the lands and Barton of Bortemall, all which I give to my mother Sarah

Noyes and her heirs for ever for the payment of my debts and legacies. To the servants at my death in my brother Wallishes house 5s. apiece. Executrix: Mother Sarah Noyes. My brothers in law, John Wallish and John Ellys to assist her. Witnesses: Mich. Fleminge, Johan Wallish, Barbara Geare.

Pembroke, 98

[This a cousin german of the famous attorney general William Noye, and is mentioned in the 1620 Visitation, but this adds much to the account given by Colonel Vivian.—L. W.]

WILLIAM MERCER, Citizen and Haberdasher of London. Will 24 March 1653–4; proved 28 March 1654. To be buried in St. Michall in the Querne where I now live. To my Brother Burrandine Mercer, now living in Virginia, £50, and to his two daughters £25 each, or the survivor of them to have the whole. To my brother in law James Fleetwood, Doctor in Divinity, £20; to my sister Martha his wife £50. To my mother Mistress Mary Mercer £10. To Dr. Fleetwood and his wife Martha £10 each for mourning. To my two Neeces and goddaughters Anne and Elizabeth Fleetwood £50 apiece. To my nephews Maximilian Fleetwood, Arthur Fleetwood, and John Fleetwood £25 each. To my neeces Bridgett Fleetwood and ——— Fleetwood, now living at Giles Chalfont, £25 each. To my neece Mary Perry £25. To my Brother in law William Perry £10. To Margarett my maid servant £10. To Six Batchelors, my good friends, to carry my corpse to church, 20s. each. To Master Poole, minister of Said St. Michaells, £5, and £5 for a sermon at my funeral. To the parish clerke 20s. To the sexton 10s. To the Porters and Water bearers that shall plye neere the Conduite 2s. each. My executor to pay £300 advanced to Virginia, but not to be enforced to pay any other debts or legacies till he recovers my debts at home and abroad. Executor and residuary legatee: my brother Walter Mercer. Witnesses: Moses Atkinson, Tho. Thorne, Notii Public.

Alchin, 22.

WILLIAM STOCKEMAN of Barford, County Wilts, Esquire. Will 21 July 1655; proved 6 October 1658. All my freehold lands in Barford I give to my brother Joseph Stockeman for life, after his decease to his son William Stockeman and the heirs

male of his body; in default, to the second son of the said Joseph; in default to the 3rd, 4th, 5th and so on in their respective ages and seniority, also my lordship of Hampworth in the same manner; also my land called Whithorne Hill which I hold by lease in the same manner while the lease shall run, also my lands in White parish, my farm of White house parish of Langford in the same manner, as above lands of Barford, My interest in the farm of Cuttenham which I hold for two lives I give absolutely to my said Brother Joseph. To my cousin Gerret Edington now in Virginia, if he be living at the time of my death, £200. To my cousen Henry Greene and his sister Mary Greene £100 apiece. Executor: my brother Joseph.

Ruthen, 484.

[Garret Edington. This is undoubtedly the same person as "Jerrard Errington," who on September 6, 1654 (renewed to him June 6, 1657), patented 500 acres in the freshes of Rappahannock above Nansemond town, opposite the land of John Weyre.]

[Mr. Withington was not able to read the proofs of this instalment.]

(TO BE CONTINUED.)

GENEALOGY.

THE BRENT FAMILY.

Complied by W. B. CHILTON, Washington, D. C.

(CONTINUED.)

SEQUESTRATION OF ESTATES.

Those who took the part of the King in the great rebellion or who professed the Roman Catholic Religion were termed delinquents and were fined in accordance with delinquency. The estates of those who fled the country were forfeited. Delinquents were required to make a confession of delinquency; a pledge of adherence to the present government, and a full account on oath of their possessions real and personal.

A Commission for compounding with delinquents was created in 1644 and remained in existence until 1657.

Royalist Composition Papers.

(S. P. Dom., G 72, p. 231.)

25 January, 1654-5, Order for search to be made in the old books as to the sequestration of the manor of Larkstoke co. Gloucester, for the recusancy of Richard Brent the elder, deceased, or of Foulk Brent, Richard Brent the younger, Edward Brent, George Brent, Anne Brent and Jane Brent, children of the said Richard Brent the elder.

Ibid, p. 263.

The petition of Lady Katherine Brook, dowager to her husband Robert, late Lord Brooke, deceased (Dec. 165[illegible]). About 22 years since the executors of Fulke late Lord Brooke deceased bought of Richard Brent esquire the manor of Admington, co. Gloucester, which then stood (and still stands) charged with two annuities of £20 each theretofore granted by William Brent, grandfather of the said Richard, to his daughter's son Richard Hawthen, esq., yet living. Owing to sequestration for the recusancy of Richard Brent complications have arisen re the annuities, etc., etc.

Ibid, p. 267.

Petition by the said Lady Brooke (1652) shewing that in July 1650 she bought for £2834 from Fulke Brent esq. certain enclosures in Lark Stoke, co. Gloucester (of which a fine and recovery were levied and suffered) for the term of 50 years. The premises have been sequestrated, etc., etc.

Ibid, G 83, p. 285.

Report in the case of the said Lady Brooke 22 Oct. 1652. Two thirds of all the estate of Richard Brent the elder of Larkstoke, co. Gloucester, deceased, were sequestered in 1644 for his recusancy; two years since the commissioners were informed that he had conveyed part of his lands to his children Foulke, Edward, George (*not* Richard), Anne Brent and Jane Brent, now the wife of Thomas Cassey, a recusant, and that the children were recusants; the oath was tendered to them by the commissioners, but they refused to take it, so the commissioners sequestered two thirds of the said children's lands.

Ibid, p. 276.

The petition of George Brent, Anne Brent & Jane Brent. In 1640 the petitioner's late father Richard Brent, esqr. demised certain parcels of land in Hitcott Bertram, co. Gloucester, to the petitioners for 30 years, at a peppercorn rent. Two thirds have been sequestered for their father's recusancy; he is since dead; they pray the sequestration may be discharged.

Ibid, G. 156, p. 287.

Further report in the case of Lady Brooke 25 Oct. 1652.

Ibid, p. 285.

The names of the parcels of land of Mr. Richard Brent and his

children, in Larkstoke co. Gloucester. When his children were summoned by the commissioners to take the oath there appeared only Mrs. Anne Brent and she refused to take it. The estate was therefore continued under sequestration, all of them being known papists. Dated at Gloucester 10 May, 1653.

ROBERT BRENT OF LARKSTOKE, GLOUCESTER.

Robert Brent was of the legal profession, a magistrate of Gloucestershire and Middlesex (Luttrell's "Diary" I, 388), and much employed by the government in the reign of James II, as appears by his correspondence with Lords Yarmouth, Middleton and Preston ("Hist., M. S. S. Com.") A reward of £200 was offered for his apprehension in 1689 ("Lut. i, 506), while his wife Catherine was actually thrown into prison (*Ibid*, 2, 110). Dying on Dec. 18, 1706, she was buried at St. Pancras, Middlesex (Cansicks "Epitaphs of Middlesex"), as also were her daughters, Mary (ob. Sept. 1724, aet. 63), Margaret (ob. Nov. 26, 1737 (?) aet. 78), whose Derby register see, and Elizabeth, the widow of Charles Conquest M. D. (ob. March 29, 1743 aet. 78). This Doctor Conquest was perhaps a son of Ric. Conquest, of Houghton-Conquest, Co. Beds. by Eliz. Thimelby (Foley's "Records S. J." v. 598), is described as of St. Paul's, Covent Garden ("Close Roll" 1, Geo. I, Pt. 1-24), and was one of the six physicians returned as "Papists" by the Coll. of Physicians to the House of Lords July 1, 1689 (Oliver's "Western County Coll." 70). He died at Bath September 20, 1693, of a fever induced by drinking strong wine immediately after the use of the hot baths, and is entered in the burial register of the Abbey Church as "a stranger (Communicated). Frances Brent of p. of St. Geo. the Martyr, Red Lion Fields, in her will dated Oct. 28, 1738, bequeaths £200 to her "much honored friend, Richard Challoner" (the bishop evidently) and among others mentions her deceased brother Falcutius Brent, her nephew Robert Brent Lytcott, her cousins Ric. Canning, father of Mary Canning, Anne and Mary Fleetwood, Bartlett Mitchell, son of Thomas Mitchell, &c., (Close Roll 13, Geo. II, Pt. 5-14) Catherine another daughter of Robert Brent appears to have married Thomas Bartlett a brother of Robert Bartlett of Hillend [Nash's Worcestershire, ii, 110.] In 1694 Robert Brent received commissions to destroy ships belonging to England, Scotland or Ireland (*Calendar of Stuart Papers*, Vol. I, pp. 93, 94, 106).

The five daughters of Robert Brent and sisters of Falcatius, last in possession of Stoke, namely Elizabeth Conquest, Margaret Brent, Mary Brent and Dame Ann Lytcott were among the English Catholic nonjurors of 1715 and paid fines on property in Hungerford (Berks), Water Stratford (Bucks), Histon (Camb.), Larkstoke (Gloucester), Weedon, Weston, &c. (Northhamts), Illmington (Warwicks), Weston (Oxon) and Treadington (Worcestershire).

From a photograph. THE "BLACK HORSE," PLUCKLEY, KENT. See xiii, 318, &c.

Margaret Brent of London.

Margaret Brent of London, Spinster. Estate at Ashbourne, Derby, to which she is "entitled in equity as devisee, and residuary legatee of Gilbert Whitehall, late of Yeldersley, gent., dec." £88 3s. 4p. For the Brent family see Gloucestershire register, Gilbert Whitehall of London, goldsmith, by will dated Dec. 6, 1709, left Yeldersley Hall estate in trust for the only daughter of his nephew Boydon, and for his niece Anne Harris; Margaret Brent being residuary legatee "as a testimony of the sincere love and affection which he had professed to her for above twenty years." Both of them and others of the Brents, lie in the same tomb at St. Pancras, Middlesex. Possibly he was a brother of Charles Whitehall, of Yeldersley, who married Catherine Coyney [Burke's Commoners, ii, 43] Foley, Records S. J. v 471, takes the following extract from State Papers P. R. O. Dom. Eliz. vol. ccli, n. 14: "At Mr. Whitall's house, neare Ashbourne, iiij miles from Awkmonton, lieth one Robert Showell, a semye priest, with a bald head, having one leg bigger than the other, and at the buttrye doore, they go up a paire of staires straight to the chamber where they say Masse."

Will of John Hodges.

John Hodges of St. Leonards, Shoreditch, Middlesex, gent. . will dated 28 June, 1696, proved Oct. 12, 1696, by Elizabeth Hodges relict (242 Bond.)

To my nephew Sherrington Hodges, son of my late brother George Hodges, dec'd, the messuage in Cossington, Somerset, wherein my late cousin John Brent did live, & his widow now resides, which were conveyed or settled by the said John Brent, as an additional joynture for his wife, now his widow. My manor, &c., of Cossington, Ford, Godwyn Bower alias Dunwere, East Bagborough & Rookes Bridge, Somerset, to my wife Elizabeth Hodges. To my nephew George Hodges, son of my brother Thomas Hodges £100 at age of 21, and to the other children of the same £10. The son and daughter of my sister Adams £20. The son of my cousin Philip Rawles £50. The son of my cousin Henry Pinckney. Children of my cousin Thomas Halsey of Somerton. Children of my niece Grace Brent, &c.

Will of Robert Brent.

(P. C. C. Irby 142.)

The will of Robert Brent of Stoke als. Larkstoke, Co. Glouc. Esq'r., dated 19 Nov. 1693.

I bequeath all my lands, tenements, manors, &c. to my ex'ors in trust, to pay unto my wife Catherine, 1200 li; to my daurs. Margaret, Mary, Anne and Frances 1000*li* apiece; the residue of my estate I give to

my son Falcatius Brent. Whereas I did lately purchase an annuity of 50*li* for my dau. Mary, I will my exors. shall permit my wife and said daughter to enjoy the same, and that it shall not be made part of my estate.

Exors: my wife, and my friends Gilbert Whitehall Esq'r; Edward Perrott and Robert Power; both of the Middle Temple Esquires, Edward Burdett of Gray's Inn Esq.

(signed) Robert Brent

Witnesses:—Richard Treuanion, J. Lewin, H. Collies, Gerald Devereux.

Proved 24 Oct. 1695 by the exors Gilbert Whitehall and Edward Burdett, with power reserved.

4 May 1741, power granted to Elizabeth Conquest, widow, sister and administratix of Falcatius Brent, bachelor, deceased, residuary legatee of above named Robert Brent, to administer the goods left unadministered by the two exors proving the will, the other exors having died before taking upon them the execution.

13 May 1743 power granted to Robert Brent Lytcott Esqr. nephew by the sister of the said Falcatius Brent, Esq., Elizabeth Conquest, daughter of the said Robert, being likewise deceased.

26 May 1747 Ad. granted to Francis Clayton, Esq'r., to attend in a cause brought by John Yate against the executors and administrators above named, & against Edward John Perrott, Adam and Edward Piggott, Francis Loggin, Chas. Bouchier, John Lucas, John Warren, Warren Bartlott Mitchell, Bartlett Mitchell, Mary Mitchell, John Yate the younger, and others.

NOTE.—It appears from the foregoing document that Falcatius son of Robert Brent, was the last of the male line to inherit the estate of Lark Stoke: that he died prior to May 4, 1741, and that his sister Elizabeth Conquest was appointed to administer his estates, and that upon her death before May 13, 1743, her nephew Robert Brent Lytcott was appointed administrator. Wm. Brent, grandson of Giles Brent, went to England in 1709, it is stated, with the object of recovering these estates, but if so he could not have been aware that Falcatius Brent was alive, and the latter, it seems, survived him by many years.

MEMORIAL INSCRIPTION IN ST. GILES CRIPPLEGATE, CHARLECOTE.

Here lyeth the bodyes of Nathaniel Brent of Willington alias Wilhamington
In the county of Warwick gentleman and Ann his wife the only daughter of William Laurence of Charlecote in the same county gent— She departed this life the sixth of September and he the tenth of the same moneth anno Dom 1689.

From the History of Warwickshire by Sir William Dugdale.

Close Roll 5627
(13 George II Part 5)
mem. 33 No. 14.

Will of Frances Brent of St. George the Martyr, near Redlyon Fields, Co. Middlesex, spinster, dated 20th October 1738.

I will that my executor shall fulfil all such things as my dear sister Margaret Brent, by her last will or otherwise recommended to me which I have not already done. I give to my sister Elizabeth Conquest 100*li.* & my silver coffee pot.

To my friend Challenor of the said parish gent. 200*li.* To my cousin Bartlett Mitchell, jeweler, 10*li*, and I freely forgive him 50*li.* To his daughter Mary Mitchell 5*li.* To my cousin Thomas Mitchell's son 20*li*, to bind him apprentice, if his uncle Bartlett Mitchell has him to educate, else nothing. To my cousin Mary Green who lives at or near Kilkeny in Ireland, 5*li* a year for life. To John Maire, of Grays Gray's Inn Esqr., and my cousin Richard Canning Esqr.; father to my goddaughter Mary Canning 500*li* in trust for my said goddaughter. To Mrs. Mary Moore of the said parish of St. George 100*li.* To the said John Maire, & my exor. John Yate Esqr., father to my godson John Yate 500*li* in trust for my said godchild. To my servant Mary Hanne 100*li.* To my old servant Margaret Burnett 8*li* a year for life. To my landlady Mrs. Elizabeth Brown 40*li.* To Ann Waters, formerly our servant 20*li.* I forgive my cousin, Ann Fletwood, all that she owes me & desire that all notes I have of hers of her sister Mary Fletwood may be delivered up to her.

(TO BE CONTINUED.)

THE MALLORY FAMILY.

(CONTINUED.)

Extract from Memoir of Commodore Samuel Barron, U. S. Navy, relative to Captain Edward Mallory, published in the Virginia Historical Register for the year 1850, Vol. III, p. 198.

* * * * *

Sometime in the summer of 1781 Lord Cornwallis evacuated the town of Portsmouth, which he had occupied for some time, and took a position of observation and annoyance in Hampton Roads. During his stay there he ravaged all the country round about for provisions for his army which was then on board some vessels of war and many transports, in a fleet.

On one of these occasions a Captain Brown, a marine officer, with about 40 men under him proceeded up the river, along its banks to Warwick County on a foraging and plundering expedition, when the lookout militia discovered the party very early in the morning and gave

us an alarm. Immediately a very dashing officer on our side, Captain Edward Mallory, assembled a company of mounted volunteers and went off with all speed in pursuit of the enemy. Of this party our young naval officer was one, and the greatest part of it were the young gentlemen of the town and country round about.

The volunteers found the enemy about seven miles above Newport News Point just coming out from the farm of a Mr. Thomas, on the bank of James River to the Main Road half a mile off when Captain Brown, the marine officer, on perceiving the American party immediately filed to an open field on his right or lower down the river and then displayed his front to receive his gallant opponents as they came on, at the same time keeping the carts loaded with plunder on the river side of his men in order to protect them. Captain Mallory seeing this movement ordered about one half of his troops who had the best guns to dismount and the rest who had the best horses, armed with swords and pistols, to remain on horseback; thus forming them into two squads. In this order the attack was made by the Americans, the cavalry charging the British in front, and the foot fireing on the British flank who began to move down the river towards the Point.

At the same time apprehending that the American party, which did not then exceed thirty men, might be reinforced, they quickened their march and gained the main road, receiving the fire of the Americans from either side of the road as the ground induced the latter to occupy it, and thus the action continued until both parties reached a large field near the station where the British had left their boats. Here the gallant Captain Brown received a ball and was found too badly wounded to be moved. He therefore ordered his men to take him to the rear and keep up their fire on the foe, but as the Americans took best aim, the British lost more men and Captain Brown perceiving this directed his Lieutenant to leave him with the rest of the wounded to the mercy of the enemy and make a push for the boats. Our volunteers pursued the British to the water's edge, but the steady discipline of the latter enabled them to get off and the former returned to attend to the wants of their prisoners and to unload the carts, which they had captured, of their plunder (among which some of the party recognized sundry articles of their property) and which was soon restored to its proper owners.

During the closing scene of this action on the field at Newport News, young Barron distinguished himself in a remarkable and gallant style. He rode up directly in front of the British line and discharged both his pistols, one after the other, in their faces, receiving their whole fire at once but providentially without hurt. His fine horse, however, was wounded in one of his legs which made him rear and plunge at such a rate, that had the enemy been quick in reloading their pieces our bold youth must have lost his life; but as it was he got off without a wound.

Several of the Americans were badly hurt and a very fine young man by the name of John Smith was killed. The English took off all their killed and wounded except Captain B. so that the amount of their loss was never ascertained; though it was no doubt greater than that on our side. I may add here that Captain B. was taken to Hampton and lodged in the house of Dr. Brodie, where he received all the care and attention from the doctor's family and the town's people that his case required, and which he acknowledged with grateful thanks. A flag of truce also came from the fleet with articles of comfort and refreshment for him, and a request for permission to take him off which was readily granted; but he was never in a condition to be moved, and after lingering two months he died.

* * * * *

(Signed) J. B.

From the Virginia Historical Register, Volume IV, 1851, Page 24.

COLONEL MALLORY.

Hampton, Nov. 19, 1850.

Dear Sir:

According to promise, I send you a brief notice of Colonel Francis Mallory of this county, whose gallant bearing and noble death in our Revolutionary war are still freshly remembered in this part of the country, though they have not yet found their way into any history of our State.

Of the family of Colonel Mallory it is unnecessary to speak, as the subject could interest but few of your readers. His ancestors emigrated from England at an early period and settled in this county. A rather free indulgence in politics in the old country (a passion not wanting, I believe, in some of their descendants in the new) led to this change of residence. Nothing is known of them except as "Justices," "Vestry Men," etc., until the breaking out of the Revolutionary war, when we find Francis Mallory and his brother Edward serving as officers in the regiment raised for the defense of the county.

Elizabeth City, from its exposed situation, suffered much from the attacks of the enemy, some of whose ships were almost always lying in Hampton Roads and the other estuaries of the Chesapeake. The county, you know, forms a narrow neck of land jutting into the bay, and is besides indented by several navigable streams of easy access to an enemy commanding the water. The lands being for the most part rich and the people wealthy, a strong temptation was thus held out, and scarcely a week passed without a visit from some hostile party. The farms were plundered of slaves, cattle, and produce, and the good people kept in such a state of alarm that many families removed to the upper country.

In these skirmishes Colonel Mallory bore an active part, for the troops chiefly relied on for defense were the militia of the adjacent country.

To defend their own homesteads from the marauders, was their first duty, and while their performances were not on a scale sufficient to attract much notice abroad, the service exacted was not the less dangerous or difficult.

Near the close of the war Colonel Mallory was taken prisoner and closely confined for several weeks on board a British ship lying in Hampton Roads. He was threatened with a trip to England for trial, and harshly treated. His brother, Captain Edward Mallory, of whom mention is made in the memoir of Comm. Samuel Barron, which appeared in the last number of the *Historical Register*, was untiring in his efforts to procure Colonel Mallory's release, and it was not until the capture of Captain Brown, as detailed in the Register, that the Colonel was set at liberty. The flag of truce which came from the fleet with surgeons to attend Brown effected an exchange of the two officers, but Brown's situation did not admit of removal, and after lingering about two months he died. On his death bed Brown gave to Captain Edward Mallory a sword, which is, I believe, now in possession of his grandson.

When leaving the ship Colonel Mallory was advised by the Admiral to keep quiet, for if found again in arms and in their power, his life would pay the forfeit. This threat, however, Colonel Mallory did not regard, and an opportunity offering in a few days, he was once more at his old work with his zeal somewhat quickened by his harsh imprisonment. News came to the county that a large body of English troops under the command of Colonel Dundas had landed in the lower part of York County, and were making their way down with the plunder taken from the neighboring farms. Colonel Mallory's knowledge of certain movements among the shipping, while a prisoner, enabled him to divine their object and to judge of the route they would take to regain the fleet. His plans were at once formed, and placing himself at the head of a company of militia quartered in the neighborhood, he marched out to intercept the enemy. A bridge, known at that day as "Tompkin's," connects the counties of York and Elizabeth City; on both sides of the road leading to which is a dense forest. The plan was to destroy this bridge and post his men in the wood to await the coming of Dundas and his forces which were known greatly to outnumber the Americans. In the meanwhile two mounted men were sent ahead to reconnoitre and bring back information of their proceedings, but coming suddenly up with the advance guards of the British, the Americans were so hotly pursued that they dashed into the woods and escaped, leaving their friends in total ignorance of the near approach of Dundas. At the turn of the road, some half a mile from the bridge, our troops found themselves confronted by the enemy, and nothing remained but to retreat or fight. The road here ran through an old field, and in this position forty militia encountered between three and four hundred disciplined soldiers. From the disparity of the forces

engaged, the British expected a feeble resistance, but in this they were disappointed. The Americans bravely maintained the unequal conflict, and resolutely stood their ground. Captain Stewart and Lieutenant Salisbury were killed, and two other British officers severely wounded. Six privates of our party were killed. The enemy became much exasperated and made a desperate charge. It was exident that our men must be defeated, and our little band began to waver. At this juncture a cavalier of the old stamp, Mr. Jacob Wray, who had been out hunting and had been drawn to the spot by the firing, rode up to Colonel Mallory and begged him to mount behind him and save his life. This Colonel Mallory refused. At this moment the British Dragoons charged —when Wray put spurs to his steed, which was fleet of foot, and by leaping a fence and double ditch, succeeded in effecting his escape. Colonel Mallory with a few men still kept up the fight, and no sooner was he recognized by the enemy, than the order was given to shoot him down. This was promptly executed, and he fell covered with wounds. Not satisfied with this, his body was horribly mangled by the hoofs of the horses and the swords and bayonets of their savage riders. His widow could scarcely recognize his person, and his buff vest, long preserved in the family, was marked with eleven bayonet holes.

Colonel Mallory was about forty years old when killed, was tall and well made, and altogether remarkably handsome. He was three times married, twice before he was twenty-one, and once just after. His last wife was Mary King, sister of Miles King, Sr., of Hampton, afterwards of Norfolk. He left one son and three daughters. Colonel Mallory and his wife's nephew, Henry King, who also fell by his side, were buried in the same grave, about a mile from the scene of action, near the mansion of the late George Wythe.

F. M.

Clinton-Cornwallis Controversy

growing out of The Campaign in Virginia 1781—2 volumes—(with biographical notices in a copious index.)

By Benjamin Franklin Stevens of Vermont, temporarily residing in London, England.

London 1888.

Vol. 1 pages 339-340.

Extracts of a letter from Brigadier General Arnold to Sir Henry Clinton, dated Portsmouth March 8th 1781.

"On the 6th I received information that my Lord Cornwallis had not penetrated further than the Dan or Roanoke Rivers, and that in consequence of the Misinformation (sent to the Rebel Army by Express as mentioned in my last) being contradicted, their Detachment had returned to their Army at Suffolk as well as Mr. Gregory to the Northwest Bridge. Their Force at the former Place 3000 Men, at the latter 500.

On this Change of Affairs, The troops under the orders of Colonel Dundas, who were designed up the James River, were countermanded; but as they were on board Ship, and a favorable opportunity offering to attack the Enemy's Post at the halfway House between Hampton and York, twelve Miles from the former, Lieut. Col. Dundas being joined by Thirty dismounted dragoons of the Queen's Rangers, proceeded in Boats on the Night of the 7th to the back River, thirty Miles from his Ships on the Chesapeak Bay, where he landed at 4 O'Clock about 200 Men, Two Boats with a part of his Detachment having parted with him in a thick Fog and heavy Squall of Wind and Rain. He marched three Miles to the Enemies Post, which he found had been evacuated three Nights before. He however destroyed a small Magazine of about One hundred Stands of Arms, some Provision and Ammunition, and on his way to New-Port-News fell in with a Party of Forty of the Enemy; a Skirmish ensued, in which, fourteen of the Enemy were left dead on the Field and Seventeen made Prisoners. Among the former was a Colonel Mallory, and a Colonel Curl among the latter.

Lieut. Stewart of the 80th Regiment was killed in the action. Lieut. Salisbury of the Romulus and two Privates slightly wounded. Lieut Col. Dundas had his horse shot under him, and upon this, as well as every other occasion, has behaved with great Bravery.

* * * * * * * * * *

I have the honour to be

(Signed) B. Arnold."

EXTRACT FROM INDEX.

Mallery, see Mallory.

Mallory, Col. (His son Charles K. was afterwards lieut-gov. of Virginia and collector of Norfolk.) Killed in a skirmish near New-Port-News, i, 340.

(TO BE CONTINUED.)

THE BROOKE FAMILY OF VIRGINIA.

(By Prof. ST. GEORGE TUCKER BROOKE, Morgantown, W. Va.

(CONTINUED.)

III. George Brooke of Mantapike, King and Queen Co., Va., was b. before 28 Sept., 1728, and died in Richmond, Va., 7 April, 1782. See his will this Mag. July & Oct., 1903. See his public service this Mag., Jan., 1904, p. 338. "Last Sunday morning (7 April 1782) died in this town of an apoplectic fit George Brooke, Esquire, late Treasurer of this Commonwealth, in which office he had acted upwards of two years. As a man he was in every respect truly valuable. In private life he was amiable. In public employment he acquired the confidence and

applause of his country." (*Hayes Virginia Gazette*, Richmond, 13 April, 1782.)

Copies of the wills of George Brooke and of his son William, with a statement as to the descendants of Col. Geo. Brooke, made to the court of King and Queen, 14 April, 1834, are filed in the Land Office in Richmond, Va., among the Revolutionary claims, packet No. 8005. From these documents and from the papers in two chancery suits of 1800 and 1808 (Campbell vs. Price *et al.*, and Price vs. Brooke) in the Clerk's Office in Williamsburg, Va., the following deduction is made, except where otherwise indicated.

George Brooke m. in 1749, Hannah (d. before 1781), dau. of Col. Richard Tunstall, who was appointed Clerk of the Committee of Propositions and Grievances of the House of Burgesses, 1744, and subsequently Clerk of King and Queen County until 1766; a member of the House of Burgesses 1766-1769; member of the King and Queen Committee of Safety 1774-'5, and in Jan., 1775, was chosen Chairman (Journals; Legislative Lists; Gazette, 4 March, 1775; Wm. and Mary Quar. V, 105.)

"Memorandum made by Lucy Tunstall Williams, of Warren County, N. C., May 30th, 1849. Richard Tunstall lived in King William County, Va., in a beautiful place on the Rappahannock (Mattapony), served in the Legislature for many years and was highly approved of. He had large possessions and was much loved. My grandfather (the said Richard Tunstall) had five sons and five daughters; their names were, Richard, Leonard, Thomas, John and my beloved father William; the daughters were, Elizabeth, Catherine, Anne, Hester, and Aunt Brooke."

(NOTE.—This statement by Mrs. Williams, made when she was an old woman, with regard to her uncles and aunts would seem to dispose of a later statement that Col. George Brooke married Anna, daughter of Col. Wm. Tunstall, instead of Hannah, daughter of Col. Richard Tunstall.—C. W. Coleman.) (Nevertheless in a deed by George Brooke, 1757, he speaks of his wife "Anna." See this Mag. April, 1903, p. 445.—St. G. T. B.)

Issue of Col. George Brooke (Hannah Tunstall) Brooke: I, ELIZABETH; II, HANNAH; III, CATHERINE; IV, MARY; V, WILLIAM; VI, RICHARD.

I. ELIZABETH, m. Robert Price; issue: i. Thomas Dandridge Price, "No inhabitant of the State in 1800;" d. before 1834. In 1808 he brought suit in the Chancery court against his uncle Richard Brooke, executor of William Brooke, to compel execution of a provision of the latter's will. He married and left issue, *a.* Wm. Price, M. D.; *b.* Mary Price, m. before 1834 Samuel Goode; *c.* Elizabeth Price. All living April 14, 1834. ii. Catherine Price, m. before 1800 her first cousin, Rev. James Price, son of Rev. Thomas and Mary (Bowles) Price of Glouces-

ter Co., Va., and died before 1834, leaving an only child, Catherine Price. iii. Ann Price m. Philamon Bird and died before 1834, leaving an only child, Elizabeth Bird, who m. before 1834 John W. Robinson. iv. Elizabeth Price, d. unmarried. v. Maria Price, under age, 1800, d. unmarried after 1834.

II. HANNAH. "Lately died in the bloom of youth, Miss Hannah Brcoke, second daughter of Col. George Brooke, of King and Queen," *Gazette*, 27 Jan., 1774.

III. CATHERINE, m. Richard Tunstall, Jr. She was b. ——, d. in Norfolk, 1827. Richard Tunstall, Jr., was a member of the King and Queen Committee of Safety, 1774-'5; Clerk of King & Queen, 1777-1784; d. before 1800, at which date Catherine (Brooke) Tunstall appears as guardian of her children. Issue of Catherine (Brooke) and Richard Tunstall, Jr: (A) George Brooke Tunstall, b. July 20, 1782, d. 1801, s. p. (B) Ann Tunstall, b. May 14, 1784, m. Henry Holt, b. 29th Oct., 1775, d. 1832, of Norfolk, Va.; issue, i, Richard Holt, living in 1834, d. s. p.; ii, Ann, living in 1834, d. s. p.; iii, Virginia Holt, m. before 1834 John Wormley; iv, Mary Holt, m. before 1834, John West, Captain U. S. N.; v, William Holt, d. unmarried before 1834. (C) Alexander Tunstall, b. March 19, 1787, d. July 28, 1868, m. Elizabeth Todd Baylor, dau. Robert Baylor of Essex county and his wife Lucy Todd (nee Garnett) issue, *i*, *Catherine Brooke Tunstall*, b. Sept. 27, 1811, d. of yellow fever, 1855, m. Richard Garnett Baylor and had issue: (a) Col. Thomas G. Baylor, U. S. A., who m. Louisa Galt and d. leaving issue; (b) Ann Maria who m. Dr. Frank A. Walke, and d. Jan. 5, 1896, s. p.; (c) Robert William Baylor who m. Mary Baylor and left issue; (d) Alexina, d. 1865, s. p.; (e) Elizabeth, d. 1855, s. p; (f) Richard, d. 1855, s. p.; *ii*, *Maria*, d. an infant; *iii*, *Lucy Ann*, d. 1818, an infant; *iv*, *Robert B. Tunstall*, b. Aug. 31, 1818, d. April 1, 1883, m. Elizabeth Walke Williamson, dau. Thom. Williamson and Ann M. M. (nee Walke); issue: (a) Baynham Baylor Tunstall, b. Sept. 29, 1840, m. June 24, 1866, Robertson Taylor, and d. in Baltimore, Nov. 2, 1890, leaving one child, Dr. R. Tunstall Taylor, of Baltimore, Md., who m. Florence Templeman; (b) Alexander Tunstall,* b. April 8, 1843, m. 27th April, 1876, Annie D. McIntosh, dau.

* Dr. Alexander Tunstall, who died at his late residence on Friday night, November 10th, was the son of the late Dr. Robert B Tunstall and Elizabeth W. Tunstall, and was born in Norfolk on April 8, 1843. At the breaking out of the Civil War he was attending William and Mary College in Williamsburg, which he left to join Company F, of the Sixth Virginia Regiment, then commanded by Colonel Mahone. In turn he was made sergeant-major and adjutant of the regiment, in which position he served throughout the entire war, surrendering at Appomattox.

At the close of the war he started the study of medicine in the office of his father, and subsequently was in Bellevue Hospital and the Nursery Hospital in New York city, returning to Norfolk in 1870. Here he became associated in practice with his father and so continued until the death of the latter in 1883. He subsequently practiced alone until the latter part of 1899, when he retired from practice. Since that time Dr. Tunstall has

Capt. Chas. F. McIntosh and Isabella D. (nee Thorburn); Annie D. Tunstall, d. Jan. 7, 1895; issue: i, Elizabeth Walke Tunstall; ii, Alexander Tunstall, d. s. p., 4th Dec., 1886; iii, Annie McIntosh Tunstall, d. s. p.; iv, Charles McIntosh Tunstall; v, John McIntosh Tunstall, d. s. p.; vi, Richard Tunstall; vii, Ruth Tunstall. (c) Virginia Williamson Tunstall, b. Dec. 7, 1844, m. 1st, 30 April 1868, Robert P. Baylor, of Essex, and by him had one child, Lucy Waring Baylor, who m. Dr. Wilson E. Driver and has issue. Robert P. Baylor died and Virginia, his widow, m. 2nd, 20th Sept., 1881, Alfred P. Thom, son of Dr. Wm. A. Thom and Annie (nee Parker) and by this marriage has one child, Alfred P. Thom, Jr. (d) Anne McC. Tunstall, b. Oct. 13, 1845, m. Nov. 2nd, 1876, J. Frank Hunter of Norfolk, son of Wm. F. Hunter and Eliza his wife, and had issue, of whom one, Robert Williamson Hunter survives; J. Frank Hunter d. 25th Dec., 1899. (e) Richard B. Tunstall, b. July 1st, 1848, m. Dec. 18th, 1878, Isabel Mercein Heiser, of New York city, dau. of Henry A. Heiser and Rosalie (nee Mercein). Has children, Robert B. Tunstall and Cuthbert Tunstall. (f) Robert Williamson Tunstall, b. Dec. 18th, 1851, m. Sept., 1901, Isabel McRoberts of Washington, D. C. (g) Thomas Williamson Tunstall, b. May 9th, 1854, d. June 30th, 1855. (h) William Brooke Tunstall, b. Jan. 9th, 1856, m. Feb. 12th, 1884, Eleanor Turner, of Frederick, Md., and has children living, Robertson Taylor Tunstall, William Brooke Tunstall, Jr., and Eleanor (Nellie) Tunstall. (i) Sallie Henderson Tunstall, b. Oct. 30,

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been in failing health, leading up finally to his last illness, which lasted a little less than two weeks.

Dr. Tunstall married on April 27, 1876, Miss Annie Dornin McIntosh of Norfolk, the daughter of the late Commodore Charles F. McIntosh and Isabella D. McIntosh. Three children of this marriage died at an early age, but four survive: Mrs. Junius R. Willcox, Mr. Charles McI. Tunstall, Mr. Richard Tunstall and Miss Ruth Tunstall. He was a brother of Mr. Richard B. Tunstall, of Norfolk; Professor Robert W. Tunstall, of the Tome Institute, Maryland; Mr. William Brooke Tunstall, of Baltimore; Mrs. Alfred P. Thom and Mrs. J. Frank Hunter.

Dr. Tunstall was a man of scrupulous integrity, of unswerving and devoted loyalty, of great charity and high Christian character. He was a consistent and devoted communicant of the Protestant Episcopal Church. Identified for many years with St. Luke's congregation, he gave much of his time and thoughts to its interests. As a member of the building committee which had charge of the erection of the present church, he contributed largely, through his judgment and untiring labors, to the accomplishment of the undertaking, which made large demands upon the liberality and zeal of the congregation. His faith was shown not only by his work for God's Church, but by his consistent following in his life, of the ideals of the Christ whom he served.

In the home and in the circle of his friends, as a soldier and a citizen, in his profession and his church, he was always the same, true to principle, faithful to duty and ready for any good work.

Funeral services will be conducted over the remains of Dr. Tunstall Monday afternoon at twelve thirty o'clock, and the interment will be private.

The Norfolk Medical Society, at a meeting yesterday afternoon, took suitable action on the death of Dr. Tunstall, and decided to attend the obsequies in a body Monday.—*Norfolk Landmark, Sunday, November 12, 1905*

1857, d. June 18th, 1858. (j) Bettie Williamson Tunstall, b. June 21st, 1860, d. June 4, 1861. *v, Caroline Elizabeth M. Tunstall*, b. Nov. 5, 1820. d. unmarried 7th Jan., 1894. *vi, William Hill Tunstall*, d. before 1824, s. p. *vii, Maria Ann Tunstall*, b. June 4, 1824, d. unmarried 7th Jan., 1898. *viii, Alexander Tunstall*, b. 1828, d. s. p. about 1836. *ix, Richard B. Tunstall*, b. Feb. 23rd, 1826, d. Sept. 24, 1855, m. Virginia (nee Waller), issue: (a) Belle Waller Tunstall, b. ——, m. Dr. Frank Anthony Walke, who died in July, 1904, no issue; (b) Kate B. Tunstall, b. ——, m. Lycurgus D. Smith, d. ——, leaving issue; i, Mary, who m. J. M. Hall; ii, Tunstall Smith; iii, Lycurgus D. Smith, d. s. p.; iv, Kathleen Smith.

(TO BE CONTINUED.)

HISTORICAL AND GENEALOGICAL NOTES AND QUERIES.

EPITAPHS OF VIRGINIANS.

From transcripts sent me in 1887 by the then Bishop of Natchez, Miss., Rt. Rev. Dr. Janssens, I extract these items of Virginia interest:

Mrs. Harriet Sophia Linton, of Dumfries, Virginia, aged 26, died August 27, 1819. A marble tomb, made in Philadelphia, was erected over her remains in the Catholic graveyard. The tomb became broken and defaced, but was repaired by Bishop Van de Velde.

William Meroney Luckett, of Virginia, soldier at Tippecanoe and in Jackson's campaigns, died 18th April, 1814, and was buried in the Catholic graveyard at Natchez, Miss.

MARTIN I. J. GRIFFIN.

PEETER.—Information desired regarding the descendants of Simon Peeter, who appears in Lower Norfolk county about 1645, and later with wife Alice (Springwell?) about 1650; also of Edward and William Peeter, or Peters, who appear in about the same locality 1635, and of Captain James Cocke, or Cox, early in Virginia.

GEO. A. TAYLOR,

Albany, N. Y.

KLANMAN.—I wish to inquire if there is any information among those having knowledge of the German immigration and settlement in Southwest Virginia concerning *Augustine Klandman*, stated as "of

Fryberg," clock maker. The date must have been something over a century ago.

FLOURNOY RIVERS.

Pulaski, Tenn.

OLIVER OF VIRGINIA.

Richard Oliver the Elder of Bristol, merch't d. 10 Dec. 1679 & by his will dat. 15 Sep. 1676 p. 1 Dec. 1681 at London devised his est. to his only s. & h. Rich'd Oliver Jun'r to whom admon was gr. on 13 June 1698. In a chancery suit it is stated that testator owned adventures debts & plantations "beyond the seas." One of his ships The George being disabled in Virginia, was sold there. Casks of tobacco are also referred to.

Hon. Col. Richard Oliver M. of H. M. Council of Antigua (a nephew of the above) was living in Bristol in 1684 but "beyond the seas" in 1688, & of Antigua in 1689, d. May 1716 & by his will dat. 3 Dec. 1714 & sworn 22 June, 1716, directed that his Ex'ors might sell "my plantation and negroes in Virginia" & by an Indenture of 28 Oct. 1725 it was recited that Rich'd Oliver s. & h. of testator had sold the plantation in Virginia.

I wish to ascertain if the plantations beyond the seas belonging to Rich'd O. of 1676 were identical with the plantation in Virginia of Col. Rich'd O. of Antigua. Copies of any records relating to the family are required.

V. L. OLIVER.

Whitmore Lodge, Sunninghill, England.

MRS. BENJAMIN HARRISON'S EPITAPH AT THE WHITE SULPHUR SPRINGS.

Consecrated by filial duty & affection
to the memory of
MRS. EVELYN TAYLOR HARRISON
a daughter of Col. Byrd of Westover &
the relict of Benj. Harrison Esqr. of Brandon.
She expired at the White Sulphur Springs
on the 12th of Oct'r 1817 aged 51 years.
After a protracted & painful illness
borne with that resignation & fortitude
which a confidence in the truths of
the gospel never fails to inspire.
Religious without bigotry. Charitable
without ostentation. Urbane & courteous
without insincerity.
She filled with exact propriety the

relations of social life & died regretted by
all her acquaintance who knew how to
appreciate moral worth in an enlightened
& benevolent female.

DAWSON FAMILY—REPLY.

If "R. M. B." whose query appears on page 93, July, 1906, issue, will communicate with the undersigned, he can obtain the clue for which he is seeking, as the wife of the writer is descended from Thomas Pettus and Rhoda Dawson, his wife, of Lincoln and Green counties, Kentucky; one of whose children was named John Dabney Pettus, another Judith Dudley Pettus.

Respectfully,

JAMES M. BRECKENRIDGE,
N. W. Cor. 12th and Spruce St., St. Louis, Mo.

NOTICE TO DESCENDANTS OF VIRGINIA. WARD FAMILY.

I wish to have formed an Association of the "Virginia Ward Family." I learn that James Ward came to Virginia in 1612, Captain John Ward in 1619, and Seth Ward before 1634. All who will assist me, may address me here to the *20th March*, afterwards at "Kenyon Building, Louisville, Ky."

JOHN H. WARD.

NOTES FROM ENGLISH RECORDS.

Contributed by Gerald Fothergill, 11 Brussels Road, New Wardsworth, London.

23 Jan'y, 15 Charles I (1640).

FRANCKE VS. JOHNES.

Orator George Francke Citizen & Merchant Taylor of London & Sarah his wife the relict & executrix of Edward Abbes late of London & since of Virginia Chirurgen deceased & Roger Dinckes of London Taylor.

Edward Abbes did trade in tobacco & other wares. About four years ago said Edward made his will & made your Oratrix Sarah sole ex'ix. The stock of tobacco was with one Robert Todd and one —— Brown.

John Johns of London & his brother Jack Robert Johnes (of Virginia).

Mr. Austin made several adventures into Virginia Trade & money matters.

Deft. John Johnes.

Court of Request, bundle 85.

TOMBS OF WAKEFIELD, WESTMORELAND COUNTY.

Here Lyes ye body of Jane
Wife of Augustine Washington
Born at Popes Creek Virginia
Westmoreland ye 24th of Xber
1699 & died ye 24th of 9ber 1729
She left behind her two Sons
& one daughter.

Here Lyeth The Body Of
John Washington Eldest
Son To Cap Lawrence
Washington Who Departed
This Life Ye 10th Of January 169—
Aged 10 Years & 6 Months
Also Mildred Washington
Eldest Daughter Of Said
Washington Who Died
Ye 1st of August 1696
Aged 5 Months.

GOODRICH EPITAPH.

"In the Vault under the Family Seat
opposite this Monument are deposited
the Remains of John Goodrich Esqr.
a Native of Virginia in North America
who departed this life in November
1785 aged 63 years
And of Margaret his Wife who
died 12th April 1810 aged 78 years
Also of two of their Sons
James Goodrich who died 26th
May 1787 aged 23 years
And Samuel Goodrich who died
26th October 1807 aged 41 years
Also James Goodrich son of
Samuel Goodrich who died
8th November 1836 aged 47 years
And Sarah Goodrich his wife
who died 20th April 1854
Aged 65 years."

Inscription on a mural monument of white marble and slate just inside the tower entrance to Topsham church, Devon, England. The monument is on the left wall of the tower near the entrance. It is minus

some top ornamentation which possibly contained a shield of arms and may have been moved from its original position in the church during alterations.

W. U. REYNELL-UPHAM,
Ringwood, Upham Ph. Rd.,
Cheswick, London, Eng.

[John Goodrich was the well known Isle of Wight county, Va. Tory, who after acting for a term with Lord Dunmore, removed to England.]

TUNSTALL FAMILY.

In the October number of the Virginia Magazine on page 124, there is a note on the subject of the Tunstalls.

I have all the data I believe in this note and some of the information which I have leads me to believe, in fact, convinces me, that there is a mistake in the list of issue of Jno. Tunstall and his wife, nee Temple. This note says that Richard Tunstall who married Catherine Brooke, daughter of Col. Geo. Brooke, was the son of Jno. Tunstall. This is a mistake. The Richard Tunstall who married Catherine Brooke was the same Richard, Jr. (who died prior to 1792) which the note gives as the first child of Col. Richard Tunstall and his wife, Anne Hill. Richard Tunstall and Catherine, his wife, were my great grand parents, their son Alexander having been my grandfather.

I have the original of an old deed of indenture, dated February 2, 1797, wherein Joseph Tunstall and Jane, his wife, Jno Bell and Ann, his wife, Jno. Rogers and Sarah, his wife, and Elizabeth Tunstall conveyed unto Humphrey Temple the tract of land in St. Stephen's Parish, King and Queen county, of two hundred acres. (The 200 acres conveyed by this deed, I am very confident, is a part of the large farm or plantation owned by Col. Richard Tunstall on the Mattaponi a few miles south of Walkerton). This deed recites that Jno. Tunstall had sold this tract in his life time to Humphrey Temple, but had not given a deed of conveyance for it. It is a deed with general warranty, and therefore it is well nigh certain that Joseph Tunstall, Ann Bell, Sarah Rogers and Elizabeth Tunstall were the sole heirs of Jno. Tunstall.

I had this deed recorded again for preservation on August 27th, 1897, in Deed Book 11, pp. 312-13-14.

From the tax lists in the Auditor's office in Richmond I have gathered the information that Richard Tunstall, Jr., was the son of Col. Richard Tunstall, for immediately after Col. Richard Tunstall's death, about 1781, a part of the land assessed to him became assessed to Richard Tunstall, Jr., and so continued until Richard Tunstall, J'rs death about 1791.

I think this is pretty conclusive upon the fact that Richard Tunstall, Jr., who married Catherine Brooke, was not the son of Jno. Tunstall.

Joseph Tunstall, who was the oldest son of Jno. Tunstall, married Jane Pearce and had a large family. He moved to Kentucky about the beginning of the seventeenth century and I have letters from him. His descendants are living in Kentucky, Mississippi, some in Texas and one or more in California.

* * *

The Throckmorton Family of Virginia.

Contributed by W. M. Noble, Wisto county, Huntingdon, England.

More than one article has appeared in your interesting magazine on the above subject, will you kindly allow me to give a very brief resumé of evidence which has lately come to light while investigating various records in the interest of Mr. C. W. Throckmorton of New York, with the view of clearing up certain doubtful questions.

The maiden name of the first wife of Robert Throckmorton of Ellington, Stow, and Offord Cluny, Hunts and also of Virginia, was one of the points to be settled; this is specially interesting as Robert and his wife were the first of the family to settle in Virginia, and the progenitors of a large number of Virginians.

In making this investigation there were certain facts to go upon. (1). The visitation of 1684 is said to give the wife as (....dr of.... Char....) not having seen this visitation I am unable to say whether this statement is correct or not, but if so the wife's name might be Charlton, Charter or any other name beginning with "Char." (2). The estate of *Anne* Throckmorton, late of Long Stowe, was administered by her husband Rob. Throckmorton, 1655. (3.) Rob. Throckmorton in his will mentions my daughters in law (*i. e.* step-daughters) Anne Dorrington and Elenor Winte, which suggests that his wife had been either Mrs. Dorrington or Mrs. Winte. (4.) The eldest son of Robert and his wife was named Albion, this is a remarkable name, not previously found in the family, and suggests that Mrs. Throckmorton had a near relative of that name; also, John is the name of one son, a common name, but not in this branch of the Throckmorton family, where Gabriel and Robert were the favorites.

Evidence.

Michaelmas Term, 9 Car. Robert Throckmorton sold (*i. e.* mortgaged) the Manor of Ellington toAlbion Chare and John Chare. (See 4 above.)

P. C. C. 2 Dale, 22 July, 1617. Will of Rob. Chaire citizen and ffletcher of London, mentions *wife Elizabeth, sons Albion and John, daughters Elizabeth and Anne, my loving friend Richard Dorrington of London.* Will was proved 11 Jan., 1620.

P. C. C. 85 Barrington, 5 August, 1628. Will of Elezabeth Chare of London, widow, eldest son Albion Chare, certain property leased to my

late husband Rob. Chare, citizen and ffletcher of London, son John Chare, daughter Anne Dorrington, Francis May(owe) gent, husband to my daughter Elizabeth, brother William Starkie. Proved 27 Sep. 1620.

P. C. C. 124 Swanne, 3 Oct. 1623. Will of Richard Dorrington mentions *my cousin Henry Dorrington, Anne my loving wife, my two daughters Eliner and Anne.* Proved 3 Dec. 1623.

The following was proved at Oxford, but is at Somerset House, and is indexed in the P. C. C. Calendar:

1 Jan. 1641, Albion Chare of Chancery Lane, London, scrivener, in perfect health. To *my brother Robert Throckmorton and Anne his wife* £100 each; brother John Smyth and Elizabeth his wife. To Ellen Dorrington, and Anne Dorrington, daughters of Richard Dorrington dec. each £100 when 21. To John May & Fran. May sons of Francis May now dec'd, godson Wm. Starkey, my uncle Starkie & his wife. *To Henry Dorrington of Stowe 40s. To my brother Throckmorton & Anne his wife,* John Smyth & Elizabeth his wife. Proved 10 July 1644.

(TO BE CONTINUED.)

BOOK REVIEWS.

JOURNALS OF THE HOUSE OF BURGESSES OF VIRGINIA, 1766–1769. Edited by John Pendleton Kennedy. [Published by the Virginia State Library]. Richmond, Virginia, MCMVI, pp. xliv, 372.

The late receipt of this most interesting instalment of the series of Journals of the House of Burgesses, which the State Libary is issuing, prevents such extended notice as otherwise it would receive. In appearance and in editing the high standard set by the former issues is maintained, and in intrinsic interest of contents, this volume probably surpasses either of the others. The period covered was the time which fixed, beyond dispute, the attitude which Virginia would assume in regard to taxation by the English Parliament. Throughout the three years the General Assembly had to consider matters of the gravest importance. In November, 1766, the enormous defalcation of John Robinson, late speaker and treasurer came to light, and brought with it the widest differences of opinion, in regard to the action which should be taken.

The repeal of the Stamp Act, the imposition of the famous tea tax, and the measures of the English government against Massachusetts all brought forth vigorous action from the House of Burgesses.

Great additional value is added to this volume by the fact that the Journals of 1766, 1767 and 1768, have never before been in print, and indeed the existence of the manuscript copies were only made known during a search in the British Public Record Office which was authorized by the State Library.

The preface, as in the other volumes, contains many valuable documents relating to the history of the period, and an especially full examination of the Robinson defalcation, which threatened such serious results to the Colony. There is a strange error, however, on page vii. The Duke of Cumberland is referred to as prime minister. The duke of that name at the time was Henry Frederick, brother to George III. was then only twenty-one years of age, and, as a royal duke, could by no possibility have been in the ministry.

This volume of the Journals can be most highly commended as a very valuable addition to the materials for Virginia history.

THE CRADLE OF THE REPUBLIC, JAMESTOWN AND JAMES RIVER. By Lyon Gardner Tyler, LL. D., President of the College of William and Mary, Williamsburg, Virginia. Richmond, Virginia. The Hermitage Press, Inc., 1906, pp. 286.

The first edition of President Tyler's well-known work ran out of print several years ago. The edition of 1900 impressed itself on the public as a unique and valuable book—one of those which fill a long felt want. This edition has been greatly enlarged and improved, and in profusion of illustrations alone, is quite different from the well illustrated volume first issued. It is impossible to more than summarize a book which is, in fact, a condensed encyclopædia of information relating to the historic events, the places and the people, from the Virginia Capes and Norfolk up James River to Richmond. There are also well studied chapters on the New Foundland and Roanoke Colonies, and on the London and Plymouth Companies. The remaining chapters are III, The Indians along James River; IV, The Island of Jamestown; V, The English at Jamestown; VI, The Fort; VII, The Church; VIII, Block Houses; IX, The Glass House; X, The Governor's House; XI, The State House; XII, Social Condition; XIII, Political Conditions; XIV, Origin and History of places along James River. Appendix.

There are 99 illustrations, portraits, fac-similes of autographs, and other manuscripts, views, restorations, &c.—all worth while. It should have been stated, however, that the views of Jamestown (frontispiece) and the picture of the massacre, are the creation of a Dutch illustration at the end of the seventeenth century, and have no claim to reality.

In the important chapter on Jamestown, Mr. Tyler frankly abandons his former belief in regard to topography, and accepts the results of Mr. Yonge's remarkable study in "The Site of Old James Town." Mr. Tyler's

own investigations and his study of the *Ambler Manuscripts* in the Congressional Library, have confirmed him in his confidence in Mr. Yonge's statements.

THE HILL FAMILY OF VIRGINIA. Compiled by Mrs. Giles C. Courtney [Richmond] Richmond, Va., 1905.

This little pamphlet should rather have been called "A Hill Family," for it is an account of the descendants of Colonel Humphrey Hill, of King and Queen county. Numerous lines of descendants, through daughters, as well as sons, are given.

IN THE PRESS.

THE SITE OF OLD "JAMES TOWNE," 1607–1698. A brief historical and topographical sketch of the first American metropolis. Illustrated with original maps, drawings and photographs. By Samuel H. Yonge [Richmond, Va.]

Mr. Yonge's remarkable monograph on Jamestown, which changed its former vagueness to an authentically mapped territory, is now, in the possible exception of half a dozen copies, out of print. Its value was instantly recognized, and the book received many complimentary notices. It is to be reissued with additional matter, more illustrations, and additional information in the maps.

For first hand information as to what Jamestown was, and how the many interesting discoveries in regard to it were made, Mr. Yonge's book is indispensible.

DESCENDANTS OF MATTHIAS ST. JOHN, OF DORCHESTER, MASS., 1634, WINDSOR, CONN., 1640, WETHERSFIELD, CONN., 1643–1645, AND NORWALK, CONN., 1650 By Orline St. John Alexander. Only 500 numbered copies, square 8vo, cloth, illustrated, about 600 pages. Price before publication, $9.00 net (carriage twenty-five cents). The Grafton Press, Genealogical Publishers, New York, MCMVI.

Mrs. Alexander has been engaged for a number of years on this work, which is most thoroughly and carefully done. This family of St. John is scattered widely through the United States.

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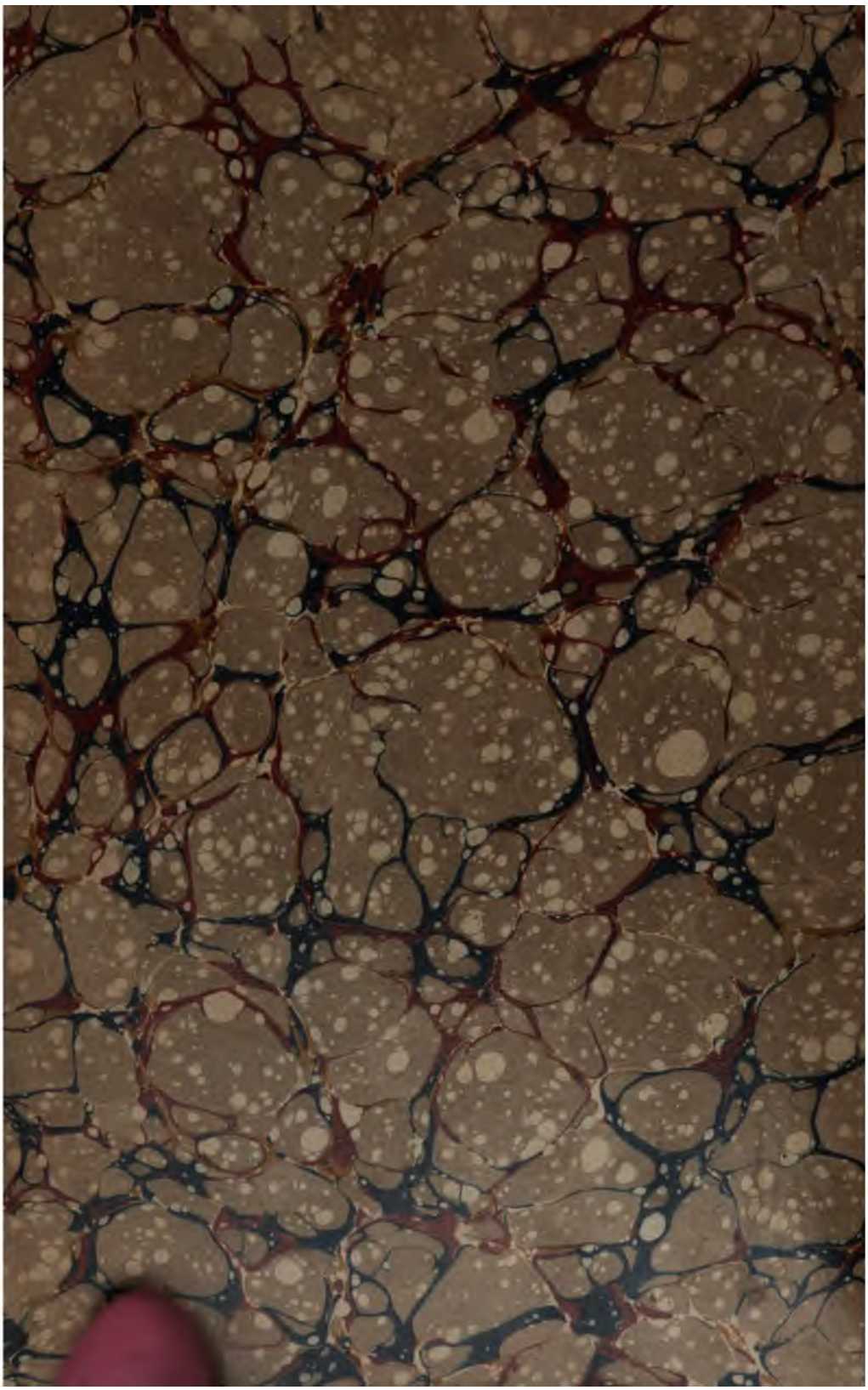

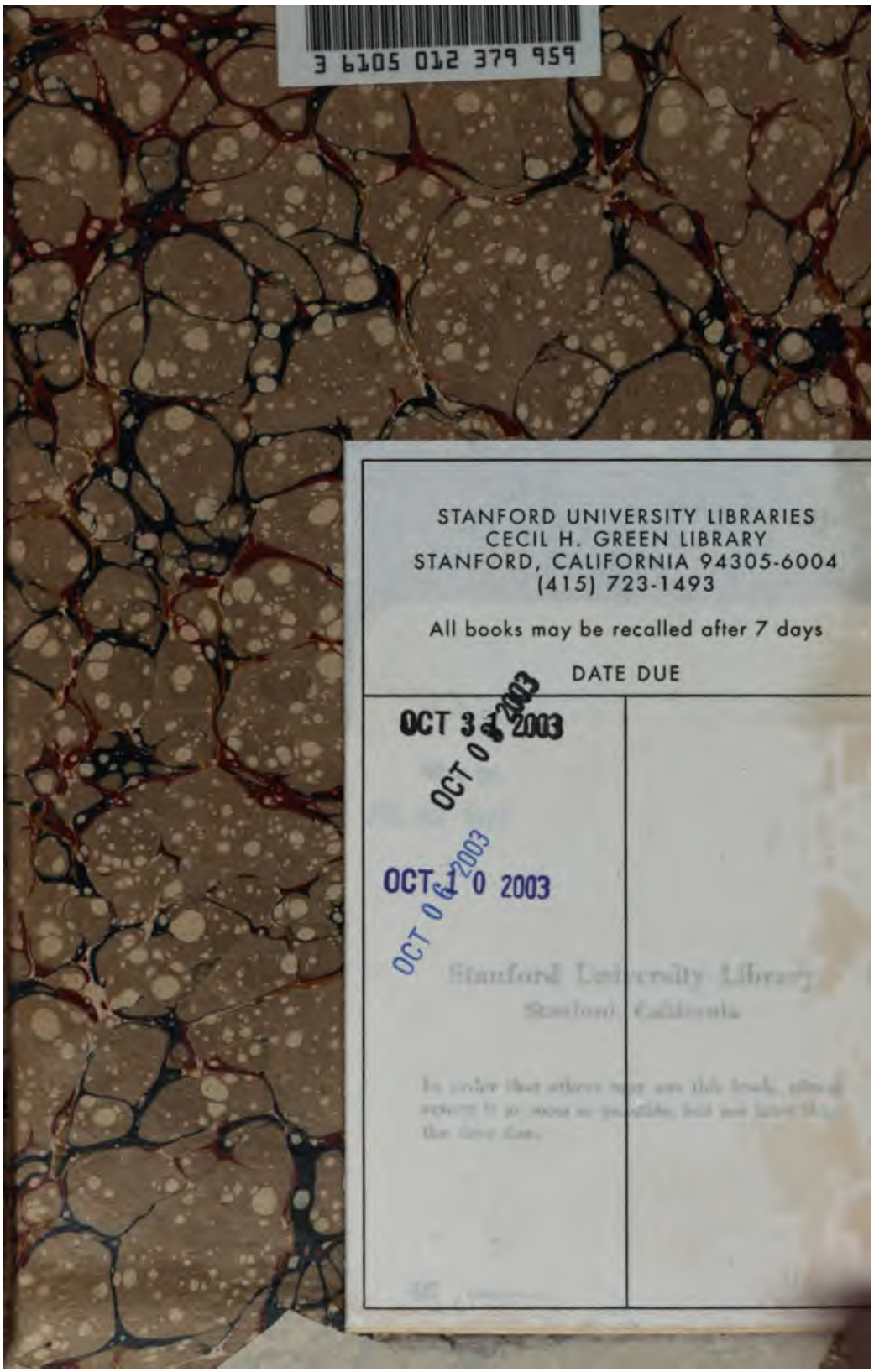
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